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PRESIDENCY AND LEGISLATION: THE GROWTH OF CENTRAL CLEARANCE

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Ten months after President Eisenhower's inaugural, an article in *Fortune* extolled a presidential aide in terms which would have seemed familiar ten months before;[1] the picture of his role in Eisenhower's entourage might easily have been drawn in President Truman's time. The subject of this piece was Roger W. Jones, an Assistant Director of the Bureau of the Budget and chief of its Office of Legislative Reference. In *Fortune's* terms, here was a confidential, if "non-political," member of the White House circle performing tasks of great importance to the President, trusted, respected, and relied upon by all of his associates. As an analysis of governmental functions and relationships, this testimonial was scarcely definitive, but its mere publication testifies to the continuation of the Budget Bureau's so-called legislative clearance operations, handily surviving the Great Transition of 1953.

What are these clearance operations? Essentially they amount to central ✓ coordination and review of stands taken by the various federal agencies at three successive stages of the legislative process.

Large numbers of the public measures introduced in Congress are formally proposed by agencies of the executive branch; departmental drafts officially en route to Congress first have to clear the Bureau of the Budget for interagency coordination and approval on the President's behalf. Once bills are introduced, regardless of their source, congressional committees ordinarily solicit views from interested agencies; official agency responses—in whatever form, to whomever addressed—first channel through the Budget Bureau for coordination and advice on each bill's relation to the President's program. When enrolled enactments come from Congress to the President for signature or veto, the Budget Bureau, as his agent, obtains, coordinates, and summarizes agency opinion on the merits, preparing in each case a presidential dossier complete with covering recommendation.

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[1] Katherine Hammill, "This is a Bureaucrat," *Fortune*, Vol. 48, pp. 156 ff. (Nov., 1953).

These are the components of "legislative clearance" as the term is normally employed.[2] In practice, these operations are much more complex and a good deal less absolute than this simple recital would indicate. But generally speaking, central clearance has proceeded along these lines for many years.

Last year, despite the change of Administration, 380 agency drafts, 3,571 agency reports on pending bills, and 525 enrolled enactments were processed by the Budget Bureau.[3] In 1954, the Bureau's Office of Legislative Reference, control center for clearance operations, is handling an even larger volume—with President Eisenhower and Budget Director Hughes earnestly supporting clearance regulations in effect since 1948, signed by a Budget Director long out of office, issued "by direction" of the President whose term expired January 20, 1953.[4]

Here is presidential machinery to coordinate a vital aspect of executive policy development; machinery to control, in some degree at least, the means by which the diverse elements of the executive express and implement their own designs. In Truman's time this mechanism was, as one observer put it, "the only clearing house that operates regularly between the multitudinous departments and bureaus . . . sometimes the only possible way to get government agencies working together. . . ."[5] In the present Administration, it may well be that legislative clearance is losing this particular distinction. Elsewhere in the Executive Office of the President, new life has been breathed into the National Security Council, as an apparatus of policy coordination and control. Even the Council of Economic Advisers, with its revised chairmanship and interdepartmental advisory board, shows signs of institutional advance in these directions. So, indeed, does the Cabinet—though history suggests this may not last.

But if legislative clearance is no longer unique, it is by far the oldest, best intrenched, most thoroughly institutionalized of the President's coordinative instruments —always excepting the budget itself—receiving new stability and new significance by virtue of its demonstrated power to adapt and to survive. And this power is not something suddenly achieved and first displayed in 1953. The central clearance system has surmounted every governmental transition since the 1920's, preserving into Eisenhower's term not only the accretions of two Democratic decades, but even the inheritance from Harding, Coolidge, and Hoover.

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[2] Agency proposals for executive orders, proclamations, and certain other formal presidential actions are also coordinated and cleared through the Bureau of the Budget, as are feasibility reports on proposed public works requiring congressional action.

[3] Source: Office of Legislative Reference, Bureau of the Budget. In addition, there were 889 "direct referrals" from congressional sources asking Budget for views on pending bills.

[4] Budget Circular A-19, Revised, dated October 25, 1948 sets forth coordination and clearance procedures and requirements concerning proposed and pending bills. Budget Circular A-9, Revised, issued at the same time, deals with enrolled enactments. Both circulars codified and brought up to date earlier usage and regulations.

[5] Bertram M. Gross, *The Legislative Struggle* (New York, 1953), p. 169.

What is the nature of this mechanism? How has it adapted? Why has it survived? These are the questions to which this paper is addressed.[6]

I. FINANCIAL CLEARANCE IN THE TWENTIES

When President Harding approved the Budget and Accounting Act on June 10, 1921, the federal agencies lost their historic freedom to decide for themselves what appropriations they should ask of Congress; now the President, alone, was to decide and to request, with a new staff agency, the Budget Bureau, to help him do it. Moreover, in accordance with the Act's intent, but one committee in each House of Congress was to receive and review appropriation requests.[7] Here, prescribed in law, was a new restrictive way of handling the life-and-death concerns of every agency—and most congressmen. And here were new organizations with a tremendous institutional stake in the successful assertion of that new way: the presidential Bureau of the Budget and the congressional Committees on Appropriations. Furthermore, these organizations had a clear mutuality of interest in closing off, as nearly as might be, all avenues to action on appropriations save their own. Substantive congressional committees, no less than executive agencies, were potential conspirators against the exclusive jurisdictions conferred by the new budget system. Facing common dangers, the system's beneficiaries made common cause. Central legislative clearance was a principal result.

It is significant of this community of interest that the original proposal for some form of central clearance came not from the new Budget Bureau, but from the House Appropriations Committee. In November, 1921, less than a month before the first presidential budget went to Congress, the Committee Chairman voiced to the Budget Director his concern about two minor measures—introduced at an agency's request and referred to a substantive committee—which authorized diversion of appropriated funds from the purposes originally specified. In the Chairman's view, " . . . matters of this character should come through the Bureau of the Budget . . . I have called them to your attention in order that you may take . . . steps . . . to include [such] requests . . . in the control which the Bureau has over direct estimates."[8] It was this congressional observation which precipitated the first presidential effort to assert central control over agency views on proposed and pending legislation, an effort embodied in Budget Circular 49, issued December 19, 1921, "by direction of the President," after clearance with the House Committee.

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[6] This article deals with legislative coordination and review centering in the Bureau of the Budget. At a later date the author hopes to deal with a related process, planning the President's own legislative program: a process but newly and incompletely institutionalized, centering more nearly in the White House than the Budget Bureau, yet also exhibiting a high degree of continuity from Truman's time to Eisenhower's.

[7] As an integral part of the budget reform, the House of Representatives changed its rules in 1920, at the second session of the 66th Congress, to reduce from eight to one the number of committees authorized to deal with appropriations. The Senate followed suit two years later, at the second session of the 67th Congress.

[8] Letter from Chairman Madden of the House Appropriations Committee to Budget Director Dawes, November 17, 1921. Budget Bureau central files; 1921–38: *Legislation No. 1.* The measures in question were Senate Joint Resolutions of very limited significance, affecting War Department obligating authority. Madden's concern was clearly not with these specifics, but with their procedural implications.

This first approach to legislative clearance was a rather curious affair. The language of the Budget Circular was very sweeping, requiring—in accordance with the "spirit" of the Budget and Accounting Act—that all agency proposals for legislation or expressions of views on pending legislation "the effect of which would be to create a charge upon the public treasury or commit the government to obligations which would later require appropriations," be submitted to the Budget Bureau before presentation to Congress. The Bureau was to make recommendations to the President, ascertain the "relationship of the legislation to the President's financial program," and advise the agencies accordingly. Agency proposals for legislation were to go forward only if approved by the President; agency views on pending legislation, when presented to Congress, were to include a statement of the advice received from the Budget Bureau.[9]

Here, at least on paper, was a new assertion of presidential control over the agencies, a new form of continuing staff intervention between President and department heads, conceptually a radical departure in American administration matched only by the new budget process. Yet the official sponsors of Circular 49 avowed no such intent. There is nothing in the record prior to the order's issuance to show that either the Budget Director or the President grasped these implications in the language they approved.[10] But there is plenty in the record demonstrating that the members of the Cabinet did not leave them long in ignorance, once the order had gone out. The subsequent course of legislative clearance in Harding's time is mainly a matter of apologies, concessions, limitations tacitly approved or self-applied, to soften agency reactions against Circular 49.

The agencies were aroused both by the Circular's potential coverage—broadly interpreted, its criteria reached virtually all subjects of legislation—

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[9] In contrast with the asserted presidential veto over agency proposals volunteered to Congress, this circular and its successors have carefully refrained from claiming any right to stop or alter agency responses to congressional requests for views on pending bills. Formally speaking, the only requirement has been that the President's position, as expressed by Budget, be stated in an agency report along with the agency's own views. Furthermore, by long custom now acknowledged in current regulations, an agency's response to congressional requests for "technical drafting service" is exempt from clearance so long as it carries no official endorsement. Thus has the Budget tried to duck the charge of "interference" with congressional access to agency opinion or expertise. In practice, this means non-interference with agency calculation of the risks involved, if any, in holding to views which do not square with those of the Executive Office.

[10] Dawes obtained Harding's approval in advance, sending him the proposed circular on December 3, 1921, with the notation that it "needs no argument," being intended "simply to insure that all estimates and requests for appropriations [are] presented in the manner provided in the Budget and Accounting Act." Dawes may have said less than he believed, but there is no hint of this either in the official files or in his published memoirs, *The First Year of the Budget* (New York, 1923).

and by interposition of the Budget Bureau between them and the President on such a range of measures. In beating his retreat, at the President's behest, Dawes did not try to find fixed subject-matter limits for his procedure; instead he let it be known that matters of importance could be cleared with the President directly. Only on routine affairs would the Budget act as agent.[11] In practice, Dawes went even farther, leaving interpretation and compliance to departmental discretion. The Budget Bureau neither guided nor protested; the agencies proceeded accordingly.

For two years Circular 49 remained in limbo. Then a new Administration seized on this empty order and within it built a strong and well enforced, if narrowly defined accessory to central budgeting. The forms of financial clearance are traceable to Harding's time. The actuality begins with Coolidge.

By early 1924, the presidential budget system was a going concern, veteran of three "budget seasons." The Budget Bureau had been staffed and organized, routines established, procedures set. The Bureau's leadership had passed from Dawes to his handpicked successor, General Lord, a zealot for the small economy.[12] And the presidency had passed to perhaps the most determined economizer ever to hold the office. "I am for economy and after that I am for more economy," so Coolidge put it, conceiving economy not merely as a matter of politics or economics, but as an exercise in personal morality, an ethical principle, a constitutional requirement, an end in itself.[13] In the Coolidge Administration the theme of budget policy was reduction: reduction of expenditures, of taxes, and of the public debt, with presidential budgeting mainly a means of cutting back on current outlays and avoiding new commitments. It is in this context that legislative clearance was revived.

Early in 1924, the Budget Bureau, with presidential support, began a vigorous campaign to activate Circular 49. For nearly two years, Lord peppered key departments with letters of warning, abjuration, and complaint, backed by a considerable amount of Budget staff investigation and analysis.[14] By 1926, he was able to report that agency compliance had become "practically universal."[15] Of course, the Coolidge clearance system, thus successfully asserted, was carried on within a very narrow frame of reference. Cabinet officers were constrained to accept Budget Bureau placement between them and the President, but only on proposals clearly costing money, and only with respect to cost, not substance. The Bureau's task of ascertaining the relationship of agency proposals to presidential program was rendered relatively safe and sure by virtue of the program's identification with recorded budget policies and estimates.

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[11] This modification was suggested by Harding himself at a conference with Dawes in January, 1922. A formal amendment to Circular 49 was actually drafted along these lines but was never issued; an oral clarification in Cabinet meeting appears to have been substituted, supplemented by explicit waivers of jurisdiction in Budget Bureau correspondence with particular departments. Budget Bureau, central files; 1921–38: *Legislation No. 1.* For detailed discussion of this and other aspects of the subject, see Richard E. Neustadt, "Presidential Clearance of Legislation," unpub. diss. (Harvard, 1950), pp. 28 ff.

[12] Herbert Lord, an army careerist and wartime associate of Dawes, served as Budget Director from 1922 to 1929. It was his custom, in the search for economy, to inspect his subordinates' desk drawers after office hours, confiscating extra pencils, paper clips, and pads of paper. Note that the total full-time Bureau staff numbered less than thirty in 1924. Ten years later the total was still under forty.

[13] *Addresses of The President of the United States and the Director of the Bureau of the Budget at the Seventh Regular Meeting of the Business Organization of the Government* (Washington, G.P.O., 1924), p. 6. See also the corresponding releases for the ninth meeting (1925), and the eleventh meeting (1926). The Business Organization of the Government, including all department heads and bureau chiefs, met semi-annually from 1922 to 1929 for purposes of presidential exhortation on, and departmental oaths of fealty to, economy in government. Coolidge's addresses on these occasions are classics of their kind. A Dawes innovation, becoming more ritualistic with each passing year, these meetings were abruptly terminated by Herbert Hoover when he assumed the presidency after years of attendance as Secretary of Commerce.

The purpose of the exercise is clear from Budget's rules of thumb for processing what came its way. An adverse agency report on a pending measure was usually taken as conclusive. An affirmative report resulted in careful scrutiny of relationship to the current budget and implications for future years. It was common practice to hold favorable agency reports "in conflict" with the President's financial program. Frequently, legislation was held "in conflict" unless the money authorization were reduced. This negative advice also applied wherever a semblance of prior legislative authority could be found to render the current proposal "unnecessary."[16] When the Bureau was confronted with opposing views from two departments, its normal procedure was to endorse the negative position. If this were not feasible, an independent staff analysis was sometimes made the basis for decision. Changes in drafting were sometimes suggested to the agencies, but always as a Budget idea, not as the result of any effort at coordination. Occasionally, the Bureau would attempt to mediate major differences of opinion, but it never undertook to seek them out.

The Coolidge clearance system, then, was quite straightforward in its negative endeavor to buttress the President's control over his budget policies and his—or the Budget Bureau's—forward financial plans. In no sense did the system operate as a coordinative or developmental mechanism in areas of substantive policy. And what was true in Coolidge's Administration was also true in his successor's term. President Hoover not only inherited and applied this form of central clearance, he even refined its terms of reference, emphasizing more than ever its budgetary association and its negative cast.

Shortly after his inauguration, Hoover suggested that the Budget Bureau take no action on agency requests for clearance unless and until it received a clear intimation of congressional interest. The President intended personally to approve all clearance actions and saw no point in bothering with measures which were not going to receive action.[17] A further refinement followed late in 1929, when Hoover sanctioned a formal amendment to Circular 49 exempting from clearance all agency reports on private bills and all *unfavorable* reports on public bills.[18]

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[14] For a detailed review of these efforts, see Donald A. Hansen, "Legislative Clearance by the Bureau of the Budget," unpub. staff monograph (Budget Bureau, 1940), pp. 10–19. For Lord's correspondence with departments, see Budget Bureau central files; 1921–38: *Legislation No. 1.*

[15] Bureau of the Budget, *Third Annual Report of the Director of the Bureau of the Budget to the President of the United States* (Washington, G.P.O., 1926), p. 28. Within his limited frame of reference, Lord's claim for compliance appears reasonably accurate. Apparently he was afforded the opportunity to see in advance those legislative reports and proposals that he and the President really wanted. See Hansen, *op. cit.*, pp. 19 ff.

[16] Hansen, *op. cit.*, especially pp. 17–20. See also Budget Bureau central files; 1921–38: *Legislation No. 1* for a variety of typical clearance letters in this period.

These minor changes simply put finishing touches on the edifice of Coolidge clearance; within these limits, the character of clearance actions remained unchanged through Hoover's term. His budgetary problems became immeasurably more difficult than Coolidge's had been. As the economic decline worsened after 1929 and federal revenues fell steadily, enormous pressures built up for increased federal spending. But the Hoover Administration remained unalterably opposed to deliberate deficit financing, and in its clearance operations the Budget Bureau tried harder than ever to ward off all possible legislative authorizations for unbudgeted expenditure.[19] Of course, after the mid-term elections of 1930 the President was unable either to develop a coherent budget policy and make it stick, or to avoid the opposition's criticism for his failure to do so. And in that painful situation, financial clearance became the least of remedies.

II. THE ROOSEVELT REVOLUTION AND POLICY CLEARANCE

President Franklin D. Roosevelt's inaugural in 1933 was accompanied by a clean sweep topside in all the departments, after twelve years of continuity under the Republicans. The procedures for financial clearance had grown up in those years and concern about them, or even understanding of them, seems to have been carried off with the outgoing Administration. The succeeding regime was enormously busy and very new.[20] Only the President himself was really familiar with governmental administration. His cabinet members were novices at it.[21] Moreover, they were moving at much too fast a pace to stop for the niceties of an auxiliary budget procedure.

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[17] Budget Bureau central files; 1921–38: *Legislation No. 1*, Budget Director's Memorandum to the files, May 17, 1929. Hoover actually did review and initial virtually every Budget Bureau clearance letter issued during his term of office, an interesting commentary on the presidency of twenty-five years ago. The documentation behind such letters was relatively haphazard in those days, frequently lacking in summaries of the issues, or of agency positions, or even of the bills themselves. The President must often have had to plow through the legislative language to reach an understanding of the subject at hand.

[18] Budget Circular 273, issued December 20, 1929. The Budget Bureau shortly found it expedient to issue supplementary instructions requiring that to qualify for the exemption, reports on public bills must be definitely unfavorable, not merely non-committal. This amplifying note was contained in a "Memorandum to the Heads of all Departments and Establishments," issued April 10, 1930, "by direction of the President." In Coolidge's regime, these types of reports had received almost automatic clearance from the Budget Bureau, usually without referral to the President.

[19] This theme appears strongly in Hoover's last three Budget messages. For example: "... we cannot afford to embark on any new or enlarged ventures. ... There will be before the Congress many legislative matters involving additions to our estimated expenditures. ... The plea of unemployment will be advanced ... but Congress [should] give full due to our financial outlook. ... In the absence of further legislation ... we can close [the] year with a balanced budget." *Message of the President of the United States Transmitting the Budget for the Fiscal Year Ending June 30, 1932* (Washington, G.P.O., 1930), p. XIX.

They moved fast; they moved the federal government into unprecedented ventures, into new spheres of action on many different fronts. The first years of the New Deal released a torrent of measures for reform, and these were mingled with a host of shifting, often contradictory improvisations in the fight against depression. Roosevelt had pledged financial stringency in the 1932 campaign, attacking Hoover on home grounds. During the next two years "sound money" and "economy in government" remained on-again-off-again themes, but sounding ever fainter as the New Deal gathered impetus, their principal adherents mostly out of office before the end of 1934.[22]

The motives which led Coolidge's Administration to stress financial clearance were scarcely in the forefront of the new regime's concerns. Not until January, 1934 did the Budget Bureau take any steps to remind department heads of their continuing obligations under the old circulars. And then the Bureau's action was muted, almost apologetic. Taken by the staff, not the Director, it was a bureaucratic restoration of routines, not in any sense a presidentially-inspired campaign for compliance.[23]

Roosevelt's contribution to central clearance was of quite another order. Nearly a year after this Budget Bureau "restoration" of financial clearance, the President took the initiative in launching a different kind of clearance: clearance of all agency proposals for legislation, "policy" clearance in substantive terms.

Roosevelt brought the matter up on his own motion at a National Emergency Council Meeting in December, 1934, shortly before the convening of the 74th

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[20] For sidelights on the "newness" of the incoming Cabinet see Frances Perkins, *The Roosevelt I Knew* (New York, 1946), pp. 228–30. See also Harold Ickes, *The First Thousand Days* (New York, 1953).

[21] Roosevelt's really extraordinary grasp of the tempo and politics of departmental administration comes clear in the meetings of the National Emergency Council, an enlarged Cabinet group which met under his chairmanship from 1933 to 1936. The verbatim transcripts of these meetings, available in the National Archives, preserve intact his "lectures" to his department heads on such subjects as how to manage bureau chiefs, congressional committees, and the press.

[22] Notably Roosevelt's first Budget Director, Lewis Douglas, and his first Undersecretary of the Treasury, Dean Acheson. Both returned to government with the coming of World War II.

[23] The Bureau's reminder was contained in a memorandum from the Budget Director's career assistant to the heads of all major agencies, January 22, 1934. It was a gently phrased affair and while most of the agencies replied in kind, the Bureau's records indicate that they were slow to take their duties very seriously. See Budget Bureau central files; 1921–38: *Legislation No. 1.* Budget Director Douglas seems to have had no part in this proceeding, nor much interest in the outcome. Two weeks later, when queried by a Cabinet member, he expressed himself as unfamiliar with the "old orders," and uncertain of their scope. See National Emergency Council, *Proceedings of the Fourth Meeting* (February 6, 1934), pp. 21 ff.

Congress. He told the assembled officials he had decided to stop the practice of uncoordinated agency requests for legislation. At the preceding session of Congress he had been "quite horrified—not once but half a dozen times—by reading in the paper that some department or agency was after this, that, or the other without my knowledge."[24] He wanted no more of that. In the future, agency officials should come to him with their proposals before taking them to Congress.

One Cabinet officer observed that the departments were already clearing through the Budget Bureau. Roosevelt brushed this aside. "That," he said, "was for appropriations. What I am talking about is legislation. . . . Coming down to legislation there has never been any clearing house . . . and, I think in the last analysis that has got to be tried in and go through the National Emergency Council . . . and up to me if necessary. In all probability it will come to me."[25]

On December 13, 1934, the secretariat of the Emergency Council followed up the President's remarks with a memorandum to all members, signed by Donald Richberg, then NEC's Executive Director. This instructed the agencies that at the forthcoming Congress all proposals for appropriations and all bills "carrying appropriations measures" should be cleared with the President through the Bureau of the Budget. All "other proposed legislation" was to be cleared through the Council's Executive Director, or in certain cases with special-purpose NEC committees.

While this directive referred to proposals only and contained a caveat on appropriation matters, its language was far from precise. The result was widespread confusion over the relationship between the new procedure and the old Budget circulars. In April, 1935, the Acting Budget Director, Daniel Bell, protested to Richberg; the problem was raised at an Emergency Council meeting on April 23 and the President decided that clarifying instructions should go out.[26] These took the form of a new Budget Circular 336, issued "by direction of the President" on December 21, 1935.[27]

Circular 336 brought together and superseded outstanding NEC directives, as well as previous Budget circulars. It provided that all agency proposals for legislation and all reports on pending legislation should clear through the Budget Bureau "for consideration by the President," before submission to Congress; as before, private relief bills were exempted. Agency proposals or reports when subsequently sent to Congress were to include a statement as to "whether proposed legislation was or was not in accord with the President's program." This was also to apply to oral testimony before congressional committees.

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[24] National Emergency Council, *Proceedings of the Nineteenth Meeting* (December 11, 1934), p. 7.

[25] *Ibid.*

[26] National Emergency Council, *Proceedings of the Twenty-sixth Meeting* (April 23, 1935), p. 8. Bell, at the time a senior career official in the Treasury Department, had taken the Budget Directorship on an acting basis after Douglas' departure. He held the job in addition to his duties as a special assistant to Secretary Morgenthau and this "temporary" arrangement was continued for nearly five years, until Harold Smith relieved him in 1939.

[27] This new order was discussed by the Emergency Council before issuance and the President then went to great lengths to emphasize his personal approval. See National Emergency Council, *Proceedings of the Twenty-eighth meeting* (December 17, 1935), pp. 14–23.

Procedurally, the circular provided that the Budget Bureau was to check directly with the President on legislation "solely concerning fiscal matters." Legislation "solely concerning policy matters" was to be referred to the President through the Emergency Council staff. The two organizations were to clear with him jointly on legislation involving both "fiscal" and "policy" matters. The Council was to inform the Bureau of clearances which it obtained from the President independently; the Bureau was to inform the agencies in all instances.

In print—and in practice—these procedures had a very clumsy look; for obvious reasons they proved cumbersome and somewhat unrealistic. Two years later they were superseded. But while the mechanics were transitional, the basic requirements have remained in force, without essential change, for nineteen years.

The Roosevelt clearance system, thus established, incorporated its financial precursor but was no mere extension of the budget process.[28] On the contrary, in form and fact and terms of reference this was Roosevelt's creation, intended to protect not just his budget, but his prerogatives, his freedom of action, and his choice of policies, in an era of fast-growing government and of determined presidential leadership.

Roosevelt's statements make it plain that he sought to protect both President from agencies and agencies from one another. In the first place, he wanted the Administration's stand made known on agency proposals, not only in his own defense but for the sake of everyone concerned, including the congressional leaders. Of these proposals he remarked:

> They fall into three categories: first, the kind of legislation that, administratively, I could not give approval to—[clearance] will eliminate that; secondly, the type of legislation which we are perfectly willing to have the department or agency press for, but at the same time we do not want to put it in the [third] category of major Administration bills. Obviously I have to confine myself to what the newspapers called last year "the comparatively small list of *must* legislation." If I make every bill that the Government is interested in *must* legislation, it is going to complicate things . . . very much; and where I clear legislation with a notation that says "no objection" that means you are at perfect liberty to try to get the thing through, but I am not going to send a special message for it. It is all your trouble, not mine.[29]

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[28] In 1937, when a revision of Circular 336 was under discussion, F. J. Bailey—soon to become the first Assistant Budget Director for Legislative Reference—wrote an undated memorandum pointing out that "there is no authority whatever in the Budget and Accounting Act for our procedure with respect to reports on legislation. And I would not try to make believe that there is. The authority we have over [these] reports comes from Executive authority and *not* from any Act of Congress." Budget Bureau central files; 1921–38: *Legislation No. 2.*

[29] National Emergency Council, *Proceedings of the Twenty-second Meeting* (January 22, 1935), p. 2.

In the second place, it was good business to have ideas and information contributed by all agencies concerned, not just the originating departments. Having bills cleared through a central agency would, in Roosevelt's words, "give somebody else outside the department itself the opportunity to have happy thoughts."[30] Moreover, such exchanges in advance would prevent crossed wires within the Administration. The President did not want the agencies "stepping on each others' toes" and he definitely did not want them "stepping on mine . . . :"

> Just the other day a resolution was passed through Congress—a House resolution that did not even have to come to me—asking for a certain report on a very important matter from one of the departments. It was a policy matter. The department was asked to send the report up to the Committee and nobody outside the department knew about it. We happened to catch it. If the report had gone up in the form in which it was prepared, it would have been absolutely contrary to the policy of the Government.[31]

On pending bills which the Administration had not sponsored, he wanted the departments to keep out of each others' way:

> In all our testimony before Congress and in all our answers to questions, let us stick to our own last and let us be factual about it. This is one of the most important things that has been said for a long time . . . let us say the Secretary of Agriculture goes up there and he doesn't know much about the bill, but he knows that he is going to be asked about it. It might . . . [relate] . . . not only to Agriculture but to Interior and some other departments as well and he ought to in some way find out what the general attitude is through some kind of clearing house. . . . [32]

Thus Roosevelt expressed the purpose of his new clearance system: by and large a negative purpose, even as Coolidge's had been. An opportunity for "happy thoughts" apart, the system's new coordinative elements, no less than broadened clearances, were seen primarily as means to keep the many-voiced executive from shouting itself down in the legislative process.

Granting Roosevelt's purpose, what, in fact, did he obtain? Initially, not very much:

> Clearance as practiced in the 74th Congress [1935–6] was restricted almost entirely to minor departmental bills . . . nearly all of the really important bills and many minor measures originating in the Executive Branch, did not pass through this machinery. . . . Matters discussed with the President in person by a department head were not submitted for clearance, except in a few cases . . . the President's approval, orally given or read into his statements was deemed sufficient . . . nearly all of the measures about which the President sent messages to the Congress [the major administration bills] . . . [were] . . . exempt from clearance . . . many lesser matters also escaped such checking.[33]

This appraisal was based on a study utilizing only Emergency Council records.

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[30] *Ibid.*, p. 3.

[31] National Emergency Council, Proceeding of the *Twenty-eighth Meeting* (December 17, 1935), p. 17.

[32] *Ibid.*, pp. 19–21.

[33] Edwin E. Witte, "The Preparation of Prosposed Legislative Measures by Administrative Departments," *Studies on Administrative Management in the Government of the United States for the President's Committee on Administrative Management* (Washington: G.P.O., 1937), p. 56.

A later survey of the period, based on Budget Bureau files, concluded that there was "less evidence of deliberate agency failure to comply . . . than of Bureau failure to follow the prescribed procedure in the clearance of policy matters."[34] Perhaps so—but there is nothing in print or on file to controvert the general tenor of the earlier view.

Yet by 1939 the Budget Director was talking confidently before Congress of the scope and general coverage of central clearance.[35] In 1943, an acute and experienced observer could write that Budget clearance was "frequently commanding," the Bureau's influence "very great."[36] For this changed appraisal at least four things were responsible: the demise of NEC, the Budget Bureau's great expansion, the slowing down of New Deal creativity, and the formal marriage of central clearance to the veto power.

The Emergency Council was dying on the vine by 1936, commanding little presidential interest, or agency respect. Its diminished status and potential were accurately reflected in the Brownlow Committee's recommendation that the Council be abolished, and its staff activities discarded or dispersed.[37] Undoubtedly the Council's relative and growing weakness had much to do with the lax attitude of agencies and Budget Bureau toward the Executive Director's prerogatives under Circular 336. Had he been the sole institutional peg for "policy" clearance, that process might well have gone under also, retrievable with difficulty, if at all. But behind him stood the Budget. When he vanished, it inherited. This happened, actually, as a matter of course, a detail of administrative tidying, a minor item among all the major changes in the Bureau's status, rôle, and outlook envisaged by and following upon the Brownlow Committee Report of January, 1937.[38]

In the two years after publication of the Report, the Bureau moved, as never since the twenties, to strengthen and consolidate its clearance operations. In the spring of 1937, Director Bell loosed a stream of correspondence on the agencies, reminiscent of Lord's effort thirteen years before.[39] In December,

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[34] Hansen, "Legislative Clearance by the Bureau of the Budget" (cited in note 14), p. 34.

[35] Testimony by Daniel W. Bell, Acting Director of the Budget, before the Treasury Subcommittee of the House Committee on Appropriations, *Hearings on the Treasury Department Appropriation Bill for 1940*, 76th Cong., 1st sess. (Washington, G.P.O., 1939), p. 936.

[36] Roland Young, *This is Congress* (New York, 1943), p. 59.

[37] See President's Committee on Administrative Management, *Report with Special Studies* (Washington, G.P.O., 1937), pp. 15–21.

[38] *Ibid.* The Report recommended essentially that the Budget Bureau become the President's chief staff agent for "administrative management," enlarged, revitalized, and formally made part of the President's own office. In passing, the report endorsed a staff proposal that NEC clearance functions devolve upon the Bureau, with Circular 336 simplified accordingly and then generally enforced. In so urging, the Committee simply followed the logic of events, which fitted neatly enough into its major theme: building up the Budget Bureau.

[39] See Budget Bureau central files; 1921–38: *Legislation No. 2*, especially entries between March and May, 1937.

1937, Circular 336 was formally re-issued—renumbered 344—as a means of removing reference to the Emergency Council in official clearance instructions.[40] Henceforth, the Bureau was to be in form and fact the President's sole institutional clearance agent, on matters of substance no less than finance. Internally, also, the Bureau acted—Brownlow Report in hand—to put new life and strength into the job. In 1938, Bell increased the staff assigned specifically to clearance work, reorganized it as a separate, full-time, undertaking and gave it status as a major Bureau function, autonomously organized in a Division of Coordination, precursor of the present Office of Legislative Reference.[41]

During 1939, in the first session of the 76th Congress, the Budget Bureau processed agency reports on 2,448 pending public bills. Four years before, in the days of financial clearance, only 300 pending measures had been covered by submissions to the Bureau. Again, in 1939 the Bureau handled 438 drafts of proposed legislation; this compares with 170 proposals sent by the agencies to NEC under the procedure of 1935, or 162 proposals sent to NEC and Budget both, under the procedure of 1936.[42] These figures are illustrative of the rise in clearance coverage after 1937, though nothing can be more elusive than the search for such objective measurements, nor anything more misleading than raw data of this type.[43] But there are other evidences also, in Budget Bureau files of agency and White House correspondence, and in transcripts of legislative hearings and debate, to demonstrate that central clearance was now reaching wider than before.[44]

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[40] Circular 344—virtually identical in its terms with 336, save for deletion of NEC's participation—was drafted in May, 1937, but for various reasons, mechanical and other, was not released to the agencies until December 17, 1937. Circular 344 was later renumbered A-19.

[41] In 1938, the President obtained from Congress a supplemental appropriation enabling the Budget Bureau to start tooling up for the new or redefined tasks envisaged in the Brownlow Report. For details on the ensuing reorganization and restaffing see Bell's testimony, *Hearings* (cited in note 35), pp. 936–55. This preceded by a year the Bureau's formal transfer from the Treasury to the Executive Office of the President (Reorganization Plan I and Executive Order 8,248 of 1939). Before Bell's reorganization, clearance work had been handled almost entirely by the Bureau's estimates examiners as an adjunct of their other duties. The new Division of Coordination was conceived, both in the Brownlow studies and by its Bureau sponsors, as a small, full-time unit to guide and coordinate, but not supplant, the contribution of all other Bureau staff to legislative analysis and review. This has remained the concept, though since World War II not just the Bureau but the whole growing Executive Office has become the field from which staff contributions have been sought. By 1939, the Coordination Division's professional staff for legislation numbered five; in the fifteen years since, the comparable figure has never risen above nine. The unit's changes in title have had no substantive purpose or effect.

[42] Source of Budget figures: Office of Legislative Reference, Bureau of the Budget. For NEC figures see Witte, *op. cit.*, p. 53.

[43] To illustrate: In the 1939 session some 5,000 public bills were introduced in the two Houses of Congress; of these, 452 were passed by both Houses and enrolled that year. But only an item-by-item comparison—which no one has ever made—would show the relationship between the 2,400-odd bills cleared and the 5,000 introduced, or between the 438 drafts cleared and the 452 bills passed. To complicate the issue further, the figures on drafts cleared and on bills enrolled represent separate subjects in virtually all cases; not so the figures on bills introduced, where substantial duplications within or between the two Houses may run as high as forty per cent in the average first session. This is an estimate; firm data are not available.

The climate of the times, perhaps, contributed to this no less than did improved organization and procedure. The main thrust of New Deal innovation was long past by 1939. The emergency had lost its cutting edge; emergency agencies had either disappeared or dug roots into routine. In Europe and in Asia world war threatened. In Congress, the anti-New Deal coalition had become a formidable fact of life. In the executive, sails were trimmed accordingly. Real legislative ambitions for most agencies were now measured largely by consolidation and amendment—goals much more easily contained in clearance channels than the great, unprecedented ventures once hurried before relatively complaisant Congresses.

And one thing more: in 1938, the Budget Bureau gained a new sanction, and an unassailable rationale, for its clearance of proposed and pending measures. That year, the Bureau came into control of agency communications to the President on signature or veto of enrolled bills. Henceforth, Roosevelt's clearance agency was also his chief institutional advisor on the generality of measures passed by Congress. Within this combination lay real power, and the Bureau made the most of it.

III. POLICY CLEARANCE AND THE VETO POWER

Traditionally, Presidents have sought advice from their department heads on disposition of enrolled enactments. Until the thirties, though, this custom had some drastic built-in limitations. When an enrolled bill reached the White House, the President's Secretary or Executive Clerk would hazard a quick guess at the agencies concerned; the bill itself would then be passed by hand to each in turn—a document of state, handled with care—and their replies, filtering back, one by one, would get such correlation as hard-pressed White House aides might manage. All this went on during the ten days within which the President could veto. Frequently he was but poorly served, receiving very late, for fast decision, an ill-digested mountain of material.[45]

From its establishment in 1921, the Budget Bureau had been asked for views on each enrolled appropriations bill. In 1934, Roosevelt told his staff to get

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[44] For examples see Hansen, *op cit.*, pp. 81–84.

[45] There were other hazards too: " . . . one enrolled bill was lost and once when we called up one of the new [New Deal] agencies and asked where the bill was, they said they had put it in the files." Testimony of Frederick J. Bailey, Assistant Director for Legislative Reference, Bureau of the Budget, before the House Committee on the Civil Service, 78th Congress, 1st sess. *Hearings Pursuant to H. Res. 16.*, Part 2 (Washington, G.P.O., 1943), p. 361. The writer is indebted to Bailey; to the late Maurice Latta, former White House Executive Clerk, whose tenure in subordinate capacities began with McKinley; to William J. Hopkins, Latta's successor as Executive Clerk; and to James H. Rowe, Jr., a Roosevelt Administrative Assistant, for data on the evolution of enrolled bill procedure. Information here provided is drawn from their recollections, from Roosevelt's enrolled bill files (now at Hyde Park), and from contemporary Budget Bureau records.

Bureau reactions on all private relief bills involving an expenditure of funds. His aides went one step further, urging—as a measure for their own relief—that on such bills the Bureau also seek and summarize the views of other agencies concerned. This worked, and presently, without fanfare, the White House staff began to send across the street all manner of substantive public bills as well, asking the Bureau to circularize agencies and correlate views. By 1938 almost all enrolled bills were going to the Bureau for this handling. That year, the few exceptions followed no clear line of demarcation; after 1939, there were no more exceptions. This process of pragmatic delegation took but five years, from start to finish.

So long as the original enrollments had to be handed around, the Budget Bureau was as helpless as the White House staff had been to make of this anything but a thankless, mainly ministerial performance. In 1938, however, the Public Printer was persuaded to prepare facsimile copies of each enrolled bill; these went directly to the Bureau at the same time the original went back to Congress for signature by Speaker and Vice President. Armed with these copies, the Bureau could put an official text before each agency simultaneously, hours or even days before the bill itself could reach the White House and the President's time began to run.

This was a simple, mechanical improvement, but what it gave was time, and time spelled opportunity. On January 19, 1939, the Bureau issued "by direction of the President" Circular 346, defining agency obligations under the new procedure. For the first time Budget was identified officially as presidential agent on all enrolled enactments. Bureau requests for agency opinions were to receive an absolute priority; agency replies were to be forthcoming within forty-eight hours, and were to include in each case a specific recommendation, backed by as much factual information as possible. Any recommendation against presidential signature was to be accompanied by a draft veto message or memorandum of disapproval (for use with pocket vetoes). In these terms Circular 346 formalized previous practice, giving it a mandatory application beyond anything remotely possible in absence of facsimile procedure.[46]

Within the Budget Bureau, corresponding steps were taken. The chores of asking agencies for views, pressuring the dilatory, correlating replies, reworking message drafts, were all put on a centralized and systematic basis. Summaries and covering recommendations to the President were now developed uniformly, carefully, and in much greater detail than before. All this took organization, specialization, and somebody's time and effort; by 1939, the Bureau had these at hand in its Division of Coordination. There full responsibility for enrolled bills was vested.

This new function quickly became the key element in central clearance. The Budget Bureau's work on agency proposals and reports built up a general, comprehensive record, unmatched elsewhere in government, to buttress its consideration of enrolled bills. At the same time, its mandate on enrolled enactments now lent special point and purpose to clearances of measures in proposed and pending stages.[47]

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[46] "This is a splendid contribution," wrote Rudolph Forster, then White House Executive Clerk, "we could never have got half as far before." Budget Bureau central files; 1921–38: *Enrolled Bills No. 1*, undated memorandum from Forster to F. J. Bailey.

The veto power's potency in this connection depends, of course, upon its use, and Roosevelt was a constant user. "If the decision is close," he once remarked to his department heads, "I want to veto."[48] In 1939, he chose to veto sixteen bills despite approval by the Budget Bureau, remarking to an aide, "The Budget is getting too soft; tell them to stiffen up."[49] Indeed, he was prone to call occasionally for "something I can veto," as a "reminder" to department heads and congressmen alike.[50] This was not frivolity; to FDR the veto power was among the presidency's greatest attributes, an independent and responsible act of participation in the legislative process, and a means of enforcing congressional and agency respect for presidential preferences or programs.[51]

From the beginning, Roosevelt placed a great deal of reliance on the Budget Bureau's weighing and sifting of bureaucratic opinion. On the generality of measures he inclined to discount Cabinet, congressional, and interest group advices which found their joint and several ways directly to the White House. But he took care that there should be, between him and the Budget, some White House staff review to check the institutional approach against the personal, to balance off the presidency with the President. In 1943, that task went to Judge Rosenman, in his new post as Special Counsel to the President; there, with temporary lapses, it has remained, assumed by each of Rosenman's successors in Truman's time and Eisenhower's.[52]

The Budget Bureau took its staff work on enrolled enactments as seriously as Roosevelt did his veto power. Here, unchallengably in the Budget's hands, was all-important preparation for decisive acts of state, exclusively in presidential jurisdiction. Of course, on the great, controversial measures, the White House could expect appraisals and advice from many other sources and through many other channels. But usually on the general run of bills enrolled at every session, particularly the private bills, the Budget file was the "works." Within the Bureau, priorities were set accordingly.

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[47] In order to build up back-ground files for use on enrollments, private bills were brought back under clearance at the pending stage by Budget Circular 390, June 1, 1942.

[48] National Emergency Council, *Proceedings of the Twenty-eighth Meeting* (December 17, 1935), p. 17.

[49] Budget Bureau central files; 1921–38: *Enrolled Bills No. 1*, undated memorandum from Rudolph Forster to F. J. Bailey.

[50] See note 45.

[51] All Roosevelt aides consulted by the writer have been emphatically agreed on his conscious adherence to these views and his consistent application of them.

[52] Review of Budget Bureau submissions on enrolled bills first became a distinct White House assignment in 1939, shortly after the Bureau's formal assumption of responsibility for their handling. Initially, this assignment went to James H. Rowe, Jr., one of the original Administrative Assistants to the President appointed under the Reorganization Act of 1939. Rowe had left the White House by the time Samuel I. Rosenman was appointed Special Counsel in 1943; this work then gravitated naturally to Rosenman, who had performed a similar service for F.D.R. in Albany, a decade earlier. Rosenman was succeeded as Special Counsel by Clark M. Clifford in 1946; Clifford by Charles S. Murphy in 1950; Murphy by Bernard Shanley, the present incumbent, who took office with the Eisenhower Administration.

In Roosevelt's later years, no other element of central clearance received half the attention, time, and effort which Bureau staff gave to enrolled enactments, especially to lesser issues where its word weighed the most. From 1940 on, coordination of proposed and pending bills was routinized increasingly, with stress on negative, protective aspects only, and great reliance on the written word. Rarely were agencies called in for face-to-face discussion; rarely were efforts made to conform clearance actions with the exigencies of the legislative timetable. If agencies and committees wanted such advantages as clearance offered at the pending stage, they could ask and wait their turn; if not, they took their chances when the bills became enrolled.

IV. FROM ROOSEVELT TO TRUMAN

The coming of World War II confirmed this Budget Bureau tendency to concentrate on enrolled bills, its inescapable job, while energy, interest, and opportunity were diverted from staff work on proposed and pending measures. The war itself made operating policies and administrative actions the pivotal affairs of government. Congress lost the center of the stage; the legislative process ceased to be either the Administration's chief concern, or the nation's main measure of governmental progress.

"Dr. New Deal" was succeeded by "Dr. Win-the-War." The new physician prescribed far less than the old in the way of urgent home-front legislation—and most of this in war-related fields, now the concern of new emergency agencies. This was not the stuff, nor these the agencies, to stay confined in peacetime clearance channels. And once their operating conflicts forced establishment of an effective wartime instrument for mediation and control—the Office of War Mobilization—their legislative conflicts and ambitions gravitated toward the War Mobilizer, not the Budget Director.[53] The result, of course, was to down-grade all previous coordinators on the governmental stage—not least the Budget Bureau's clearance mechanism. OWM action in the legislative field was limited, deliberately, to matters of the highest policy or greatest urgency. But by the war's end, its successor's interests were proliferating through the government. Most Budget staff accepted, without much demur, OWM's wartime over-shadowing of their coordinating role; they took with far less grace OWMR's widening postwar interventions on the legislative front.

Meanwhile, Truman suddenly succeeded to the presidency. With this the Budget Bureau's role was shaken mightily amidst pangs of transition unmatched since 1933. The two years after Roosevelt's death were doubly transitional: the government was entangled in a complex shift from war to peace and back again to something in-between; the presidency was in process of adjustment from the old to a new personality, and to new work methods and interpersonal relationships. It was a complex, clouded, often contradictory time, climaxed by the congressional overturn of November, 1946. To the great alterations in the executive, there were now added many changes in personalities and power on Capitol Hill, profoundly affecting relationships and atmosphere at both ends of the Avenue.

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[53] The Office of War Mobilization (OWM) was established by Executive Order 9347, May 27, 1943. It was transformed into a statutory Office of War Mobilization and Reconversion (OWMR) by the War Mobilization and Reconversion Act of 1944. For an admirable summary of OWM-OWMR history, see Herman M. Somers, *Presidential Agency* (Cambridge, Mass., 1950), pp. 47–108.

In all this swirl, the Budget Bureau stumbled badly, its prestige and position challenged as rarely before or since. Most of the services Roosevelt had charged it to perform were little understood, at first, by the new President and his new team of close associates; legislative clearance least of all. "I simply do not see," allegedly remarked one high-placed Truman aide, "why [legislative] *policy* is any business of the *Budget* Bureau."[54] Truman's three successive OWMR Directors—Vinson, Snyder, and Steelman—were all, in varying degree, much closer to the President than were the hold-over Budget leaders, Smith and Appleby. And in the months after V-J day, it was to OWMR, not Budget, that Truman and his White House aides looked mainly for help on policy problems, legislative and other.

By mid-summer, 1946, the Budget Bureau's status in the presidential orbit had reached its lowest point. OWMR seemed superficially to be assured a strong, perhaps a permanent position. A new staff agency of unknown policy potential, the Council of Economic Advisers, had just been authorized by statute.[55] Between these two, the Budget's future role, particularly in the legislative sphere, appeared attenuated and uncertain.

Yet scarcely two years later the Bureau was entrenched as the prime source of presidential staff work on the Administration's legislative program, its clearance tasks, especially at proposed and pending stages, more actively developed and more central to the President's concerns than ever in their history. Three things, mainly, lay behind this change: reappearance of the legislative process as the key government preoccupation; attrition or demise of other institutional staff facilities; and the personality of James E. Webb, Truman's new Director of the Budget.

The first Truman term, be it remembered, was a time of executive retrenchment, of climbing down from wartime peaks. The early Fair Deal blueprinted many a large-scale peacetime venture in administration, but save for atomic energy and foreign aid—and the short-lived emergency housing program—these remained largely on paper. For this was a time, also, of congressional stalemate in home affairs, and these new ventures needed legislation. Numerous issues of domestic policy confronting the regime were, therefore, first cast up in legislative guise, then frozen in that status by an unresponsive Congress.[56] The operating tasks, which in their magnitude had called forth OWM, were finished; nothing comparable took their place. Presidential messages to Congress became the central focus for policy-making; legislative drafts the major means for translating policy into coordinated action. With Congress formally in opposition after 1946, the object of the game—save in the foreign field—turned into record-building, pure and simple. But more than mere demands were needed in the record; for someday there might be response, if not from the current Congress, then the next. Serious proposals had to be specific; specifics meaningful—and viable.

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[54] A comment dating from the early spring of 1946, made by the then OWMR Director to a member of his staff and relayed by the latter to the writer.

[55] The Employment Act of 1946 was approved February 20, 1946. The Council did not begin to function until the following September.

This called for central staff work, continuous effort on a large scale. Where could it be obtained? The OWMR staff had been dispersed, abruptly, at the end of 1946; Steelman, its last Director, had returned to the White House in the new post of Assistant to the President.[57] The Economic Council was then untried, preoccupied, and short on staff, its product showing from the first the strains imposed by step-child status and divergent membership.[58] The White House Staff—the President's Assistant, Special Counsel, and the rest—could guide, review, and interject, but scarcely could engage in all the detailed and continuous endeavors these legislative tasks required.

This left only the Budget Bureau, or some new creation. And at the crucial moment the new Budget Director managed to reorient the Bureau's role anent the Truman White House, thereby giving the President the staff work he required.

By early 1947, Webb had become a principal adviser to the President, a full-fledged member of the Truman team. This built the Budget's entree and Webb made much of it, selling staff services as he sold himself. He broke precedent by making his subordinates freely available to White House aides, on their terms, for their purposes.[59] He cheerfully acceded to several full-time transfers

[56] For a survey of Truman's domestic legislative program and the character of congressional response, see Richard E. Neustadt, "Congress and the Fair Deal: A Legislative Balance Sheet," in the forthcoming Vol. 5 of *Public Policy*, eds. Carl J. Friedrich and J. Kenneth Galbraith (Cambridge, Mass.).

[57] OWMR was terminated by presidential action through Executive Order 9809 of December 17, 1946. Some of the factors leading to its demise are discussed in Somers, *op. cit.*, pp. 100–1. Steelman's principal lieutenants had planned to move the core of the whole organization to the White House with him, but they reckoned without his sensitivity to Cabinet and congressional resentment over late-coming, subordinate "empires" in the President's own office, especially after the 1946 election.

[58] Quite apart from the so-called "Nourse-Keyserling dispute," Budget, Treasury, and OWMR each had hoped and planned to assume the staff responsibilities ultimately conferred on the Council. Only the mutual jealousy of these three agencies stalemated executive opposition to the Council's creation. Their grievances did not yield, all at once, to the accomplished fact; and an uncertain performance on the first Economic Report did not enhance the Council's standing with its sister agencies, their heirs and assigns.

[59] The 1947 veto of Taft-Hartley, for example, was preceded by a special White House appraisal undertaken by the Special Counsel at the President's behest, with the full-time assistance of three Budget staff members whom Webb turned loose entirely, requiring from them neither consultation nor report.

of Budget staff to White House assistantships, thus building bridges which were bound to last.[60] Above all, Webb turned to his machinery for legislative clearance as a prime means of focussing staff efforts to help meet the President's needs. The clearance of proposals and reports had not been sensitive to congressional schedules; it was to become so. The emphasis of central clearance had been negative; it was to be made positive. It had interpreted policies and programs where it found them; it was to help create them. It had relied on Bureau staff resources; it was to draw, instead, on the expanding Executive Office as a whole.

Those were the goals Webb set for central clearance in Truman's time. To implement them he relied on a reconstituted Legislative Reference organization, now given status as a sort of institutional Executive Office secretariat for legislative policy development, formally within the Budget Bureau but serving, in effect, as back-up staff to Truman's Special Counsel, then chief White House officer in fields of forward policy.[61] Webb did not delegate all responsibility, nor abdicate all interest, but as a practical matter, Legislative Reference's White House ties became both real and generally respected.

V. THE CHARACTER OF CLEARANCE IN TRUMAN'S TIME

All this involved great changes in the character of clearance at proposed and pending stages. After 1947, the Budget Bureau's war-encouraged passive attitude gave way, perforce, to much activity. A first step was the campaign begun early in 1948 to mesh these clearance actions with congressional requirements, and this despite the opposition character of the then Congress:

> We had found in the immediate post-war years that there were a great many situations in which the . . . clearance process was an annoyance to the Congress and properly so. . . . Consequently . . . [in 1948] . . . Webb . . . specifically charged me with responsibility of talking with the staff directors and clerks of . . . major committees to see if our . . . process could be tied more closely into the committees' desires for the scheduling of items to come before them. On the other side of the coin, I was to acquaint the committees with the issues and items which . . . were being advanced in priority by the President, or . . . major departments. . . .
>
> With the . . . cooperation of the Public Works Committees it was possible for us to work out . . . almost a precise schedule of what [they] wanted . . . and when . . . and . . . then go back and hasten our clearance process.
>
> From the Public Works Committees this same kind of cooperative effort was extended to other . . . committees.[62]

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[60] A residual reflection of the then dependence on the Budget, which Webb so strongly aided and abetted in 1947–48, is found in the fact that in 1953 fully a third of the outgoing Truman assistants had come to the White House staff from the career service in the Budget Bureau.

[61] F. J. Bailey retired as Assistant Director of the Budget for Legislative Reference after the first session of the 80th Congress in 1947. His place was taken by Elmer B. Staats; in 1949, Staats was succeeded by Roger W. Jones, the present incumbent.

[62] Testimony of Roger W. Jones before the House Select Committee on Lobbying Activities, 81st Congress, 2nd sess. *Hearings Pursuant to H. Res. 298*, Part 10 (Washington, G.P.O., 1950). Note that the current version of Circular A-19 is printed with Jones' testimony.

Indeed, this operation steadily expanded; by 1950, the Budget was regularly and informally in touch with both majority and minority staffs of most major legislative committees, having by then a record of successful relations with committee chairmen of both parties.

In 1948, the Bureau also embarked on a wholly new approach to the coordinative aspects of its clearance tasks, subordinating negative protection of President and agencies to positive development and drafting of Administration measures. Executive Office "working teams" came into being with "leadership" assigned to the White House, Budget, or the Economic Council, as the case might be, while Legislative Reference served as secretariat and stimulator of them all. Each unit of the presidential staff contributed its experts and its points of view; all agencies concerned were called on to confer.[63] A high proportion of the Fair Deal's later measures were worked out in detailed form through this new application of "coordination;" for example, the Housing Act of 1949, and the Social Security Act Amendments of 1950.[64] On many lesser proposals, involving fewer agency and private interests, or interests lower in importance to the President, the Budget's Legislative Reference staff led similar excursions on its own, sometimes merely tinkering with agency submissions, sometimes redoing the whole drafting job around the conference table.

This new technique—new, anyway, as an adjunct of central clearance—developed alongside and, in part, grew out of efforts to provide fixed meaning, concrete form, and better advance planning for the President's own legislative program. Toward that end, White House and Budget legislative staffs worked in close combination, after 1947, developing relationships which lent both strength and informality to team play on particulars.

Coinciding with these various endeavors came an external change which gave the clearance system a new dimension and new opportunity. In 1947, congressional committees began to ask Budget for its views on pending bills, at the same time that requests for views were sent to the agencies. These so-called "direct referrals" were an 80th Congress innovation; a means whereby Republican committee chairmen could gauge the intentions of the Democratic Administration. Whatever the initial motive, the practice became increasingly popular with the committees in each succeeding Congress, regardless of party coloration. During the 80th Congress there were 370 of these direct referrals; during the 81st, 974; during the 82nd, 1,102. In the 83rd Congress, there were 889 for the first session alone. Of course, this volume has not stemmed equally from all committees of each House in every Congress. For example, since 1947 the Senate Labor and Welfare Committee has referred nearly all bills to the Budget; not so its House counterpart.[65] Variations have their roots in diverse compounds of committee composition, jurisdiction, clientele. But while they keep the practice less than universal, this has not altered one significant result: the Budget's growing opportunity to register a presidential view directly on a high proportion of the bills considered actively by both houses.

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[63] After 1949, NSRB, ODM, and DMS staff, and occasionally NSC staff, were also drawn into or given leadership of such Executive Office teams.

[64] Of course, not all proposals were prepared in this way. For example, the so-called "Brannan Plan" was first set forth informally in the shape of "suggestions for study" put to congressional committees in testimony by the then Secretary of Agriculture. Truman's health insurance proposals were never translated into Administration-approved specifics; nor did the Administration ever commit itself to the details of bills introduced in Congress. As for revenue measures, their preparation, for the most part, was—and still is—dominated by the Treasury.

Moreover, since 1949 other direct channels have opened to the Bureau, further enhancing this opportunity. For example, during Truman's second term the Majority Leader of the House and the Democratic chairmen of several Senate and House committees—including the House Rules Committee—acquired the habit of checking with White House or Budget staff (sometimes both), by telephone or special note, for the current Administration stand on bills nearing the reporting stage.[66] Wherever addressed, these inquiries almost always passed through Budget hands; responses, however conveyed, afforded vital supplements to clearance actions and formal reports. While these particulars and others have altered since Eisenhower's accession, comparable avenues continue to link the clearance system not only with congressional committees but with the leadership as well.

Here are alternatives to the traditional approach of central clearance, wholly independent of agency action, and compensating for deficiencies in agency compliance, while naturally increasing the incentive to comply. Progressively, the Bureau has inclined to concentrate its energies upon its own responses and those it readies for White House staff use; these rather than agency reports become the key documents of clearance action at the pending stage. Of course, there have been instances—no doubt there will be more—where Budget's direct answers have reflected its own institutional concerns more nearly than the President's personal designs.[67] But Bureau advice via agency reports has been no less susceptible to such confusions. That problem is generic.

The new spirit of Truman's clearance system affected not only proposed and pending stages, but also operations on enrolled enactments. From 1947 on, the technique of the working team was frequently applied, with varying degrees of informality, to staff evaluation of the major measures passed by Congress and to preparation for the President's own action, especially where vetoes were involved. From time to time, this teamwork at the enrolled stage proved useful in the development of new proposals: alternatives to measures vetoed and additions to bills signed with reservations.[68] In this respect, a positive note was injected into the review of enrolled bills, equivalent in purpose, if not scale, to the new ventures in coordination of proposals and reports.

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[65] Currently, the committees which engage most frequently in direct referrals are: Senate Interior, Labor, Public Works, Finance, Banking, Commerce, Civil Service, Government Operations; House Agriculture, Commerce, Merchant Marine, Public Works, Government Operations, Civil Service. Source: Office of Legislative Reference, Bureau of the Budget. Note that the early adherence of the Senate Labor Committee reflects Senator Taft's own view of the need for a formal channel between President and committees on current measures.

[66] Also in 1949, the Senate Majority Leader arranged to have the Budget report to him the number of each bill cleared and the nature of the clearance given, week by week. These data were then tabulated by his staff for ready reference to Administration stands on the general run of pending bills. So routinized a transmittal of so much information proved of limited utility. After 1950, the practice was curtailed.

[67] A classic example is provided by Budget reports to the Senate Labor Committee on S. 614, the Hospital Construction Act Amendments of 1949. For details see Budget Bureau central files; Enacted Legislation, 81st Congress, *Hospital Construction*, R6-15/48.3.

In Truman's time, work on enrolled enactments came to contribute in another way to policy development. On certain classes of enactments, the President found it possible to make consistency in signature or veto a potent instrument for setting and enforcing general policies. On veterans benefits, his vetoes drew and held a general line; on private immigration bills, his signatures held one last entryway wide open. These things were done despite unceasing protest from affected agencies, a testimonial not only to the President's determination, but to the Budget's constancy in finding counter-arguments to justify his action.

From 1947 to 1950, central clearance progressed vigorously in these various directions. New Budget circulars, while adding nothing to the substance of the old, provided literary—and official—recognition of the changed pace and emphasis.[69] Then in June, 1950 came Korea, and in November, full-scale Chinese intervention. Thereafter, throughout Truman's last two years, the Administration's crucial policy preoccupations were operational, no less than congressional, the legislative focus narrowing, meanwhile, from Fair Deal to defense.

Partial mobilization and limited war had an immediate impact on clearance operations, though the effect was less decisive than in the all-out conflict nine years earlier. During 1951 and 1952, central clearance did not lose its mandate, nor greatly shift its goals; it simply ceased to grow, mirroring thereby the "half-way" character of changes in the governmental climate. With the new Office of Defense Mobilization—nearest equivalent of the old OWMR—the Budget Bureau managed peaceful collaboration in the legislative field, easily adapting pre-existing patterns to the special case of economic controls. Here, by common consent, ODM took the Executive Office "lead," organizing and directing efforts to develop an Administration product, serving thereby as acknowledged "agent" of the central clearance system, and utilizing Budget clearance channels to fortify its interagency coordination.[70]

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[68] See, for example, Truman's message to Congress, July 13, 1951, announcing the signature of S. 984, a bill to aid recruitment of Mexican migrant workers, of which the President remarked: "I could not have given my approval had I not been assured . . . that supplementary [measures] would receive prompt attention." Truman then recommended a three-point supplementing program, produced by a staff team after the bill's passage.

[69] See note 4.

[70] The Office of Defense Mobilization was established by Executive Order 10193 on December 15, 1950 within the Executive Office of the President, to exercise direction and control over all aspects of the post-Korean mobilization program. ODM received permanent status through Reorganization Plan 2 of 1953, absorbing the war mobilization planning functions of the National Security Resources Board under the National Security Act of 1947.

Aside from "defense production," only "mutual security"—consolidated, defense-packaging of foreign aid—emerged in Truman's final years as a major, new legislative venture requiring sustained developmental staff work. And here the Bureau worked out arrangements with the Director for Mutual Security similar to those established with ODM. The Harriman Office took the lead, while Budget staff manipulated clearance channels on its behalf.[71] Otherwise, the Budget's clearance system carried on much as before, though with less emphasis on positive coordination, because there was less presidential need; relying heavily, by way of substitute, upon the store of plans worked out and positions clarified in pre-Korean years. The patterns of staff action and relationship which had emerged by 1950 were, in the main, consolidated during 1951 and 1952. But there was little new adventuring in the high policy arena.

Korea and its consequences were not the only factors responsible for this; there was, as well, the President's acute awareness that the presidency would soon change hands. In 1951, Truman appointed as Budget Director a top Bureau careerist, Frederick J. Lawton, charging him specifically, though not publicly, to batten down the institution, readying it for the transition ahead.[72] There was to be no more expansion in politically-charged directions. The Bureau's reputation for "non-political" expertise, its institutional respectability, were to be guarded at all costs, thereby preserving its utility to the next President.[73]

VI. THE FIRST YEAR UNDER EISENHOWER

On January 20, 1953, the new President took office, his inauguration marking the first complete party turnover in twenty years. Superficially, this had a sweeping impact throughout the government. But paradoxically, perhaps, the Budget clearance system was affected less this time than in the previous transition years of 1945 and 1933; reasserting, not in years but in months, its old role in the new regime.

Why did this occur, and how? Why not the fall into drawn-out obscurity, the slow revival, that characterized both previous occasions? There seem to be three reasons: some relatively careful pre-inauguration planning on both sides; some vital accidents of personal relationship; and, underlying everything, a very real continuum in the outlook for government.

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[71] In June, 1950, Averell Harriman was appointed Special Assistant to the President to coordinate various overseas affairs. Under the Mutual Security Act of 1951, his post was transformed into an Office of the Director for Mutual Security (DMS), within the Executive Office of the President. DMS was abolished by Reorganization Plan 7 of 1953 and its functions transferred to the Foreign Operations Administration.

[72] Lawton had been a senior Bureau official since 1935, number-three man under Webb, number-two man under Webb's successor, Frank Pace, Jr. He is serving presently as a member of the Civil Service Commission.

[73] It is an interesting sidelight on the longevity of Truman's concern for a smooth transition that a number of the preparatory actions Lawton took, both before and after the 1952 election, corresponded with arrangements planned by Webb on a "contingent" basis during the summer of 1948.

In November, 1952, immediately after Eisenhower's election, Truman took a number of specific steps toward the goal of orderly transition, among them an invitation to the President-elect to have his representative participate as an observer in final preparation of the forthcoming (Truman) budget. During the nine weeks before inauguration, Eisenhower's Budget Director-designate, Joseph M. Dodge, worked full time in the Budget Bureau, conducting himself with great discretion, watching the staff at work, learning their problems and routines, winning their confidence as they gained his respect.[74]

Once installed in office, Dodge emerged as a strong member of the new inner circle. His influence, the value of his services, and his ability to act were enhanced, no doubt, by his acceptance, hence effective leadership, of the established staff at his disposal. This set the stage for firm and confident assertion of Budget Bureau functions in the new regime, central clearance no less than the rest. Even before Inauguration Day, most of the Cabinet members-designate were called into the Bureau for Dodge-sponsored indoctrination lectures on its prerogatives and their responsibilities. Clearance regulations received attention at that time. And after the inaugural, Dodge made a point of picking up initial failures to comply, taking a strong line with department heads, reminiscent of Lord's language thirty years before.

The new Budget Director did one thing more for central clearance: to his hold-over chief of Legislative Reference he gave the backing of his own unqualified endorsement, and a total delegation of authority surpassing anything experienced in Truman's time. Between these two men, Dodge and Jones, evolved a personal relationship of greatest moment for clearance's survival. Dodge used his own prestige unsparingly to break a path for Jones into the Eisenhower White House, overcoming tendencies to treat careerists with extreme reserve. He then cut Legislative Reference entirely loose to seek its lead from presidential staff, thus extending under Eisenhower an innovation Webb had introduced in Truman's first term.

It was one thing to open an acquaintance between White House and Legislative Reference; quite another to establish adequate patterns of staff interaction. The Budget's clearance operations were dependent, now more than ever, on guidance from the President and access to him, by and through his White House aides. All the well-worn Truman channels were erased; they had to be rebuilt from scratch around another President, new aides, new methods. That this was done in less than six month's time, as *Fortune* attests, is tribute partly to the sheer inescapability of so much of the matter grinding through the clearance mill. And partly it is tribute to the personality equation, once again: to Jones' success in working with the three key legislative policy officials in Eisenhower's entourage—Adams, Persons, and Shanley.[75]

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[74] Dodge was not precisely a newcomer to government, having organized War Department renegotiation activities in World War II and having carried out significant overseas assignments for the occupation authorities of both Germany and Japan. His attitude toward his new role was very healthy for the institution he would head, fairly free of the suspicion and uncertainty which plagued so many Eisenhower appointees and their career subordinates. Dodge resigned as Budget Director, April 15, 1954, and was succeeded by his deputy, Rowland Hughes. For information on this and other aspects of the 1953 transition, the writer is indebted to the many officials throughout the Executive Office who have answered his inquiries with candor and good will.

Reinforcing these relationships were some deep strains of continuity in government's most basic problems. Only on the surface was transition sharp and sudden. There was neither 1945's dramatic plunge from total war to general peace, nor 1933's wholesale experimenting with new rules for the governmental game. True, by 1953 the emergency impacts of Korea were diminishing, economically, psychologically, militarily. The cold war was entering a new phase, the atomic arms race a new dimension, the American economy a new adjustment. But these remained the underlying problems, whatever their changed aspects, with the new President, no less than the old, pledged to collective security and full employment as goals of governmental action.And as the operating crisis faded, policy-making tended to resume its pre-Korean cast.

The new regime brought many alterations of detail, quick shifts of attitude, emphasis, approach, which in the longer course of time may prove profound. But in 1953, at least, the real conditions and commitments—and dilemmas—overhanging from the past left little room for sweeping change, save on the planes of people and "psychology." Particularly was this the case for a regime so "new" as Eisenhower's. The President was new to national politics and civil government, his Cabinet members mostly newer still, his congressional colleagues wholly unused to a Republican Executive. His campaign for election had been influenced by concepts and illusions bred of opposition; some basic a-b-c's had to be learned anew.

Combined with this inexperience, the continuity of problems confronted the new White House with two needs, sharply felt: the need for facts about the past to help project decisions for the future, and the need for caution in commitments until homework had been done. The Budget clearance system proved a handy instrument in both instances. Once the ice was broken, the White House staff, however much mistrusting bureaucrats in general—holdovers schooled for twenty years in Democratic policies—could turn to Budget's, in particular, to tap resources of careerist expertise through clearance channels everywhere in government.[76] Simultaneously, the White House could obtain from central clearance a series of continuing protections for presidential freedom to withhold decision. The congressional session of 1953 was a time for ducking and dodging on a wide range of legislative issues, while study groups studied and administrators felt their way.[77] As legislative clearance had once helped protect FDR's own choice of action, it now helped safeguard Eisenhower's choices of inaction.

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[75] Under Eisenhower, Sherman Adams, the Assistant to the President, has a formal, though not always operative, role in the coordination and direction of all White House staff undertakings. Wilton B. Persons, now Adams' deputy, had major responsibility for congressional liaison during Eisenhower's first year and is still heavily involved in legislative affairs. Bernard Shanley, Special Counsel to the President, acquired during 1953 a good share of his predecessors' tasks in policy development, especially on the legislative side, resuming, among other things, the Counsel's old role as regular channel between Budget and President on enrolled enactments and other clearance actions.

[76] The legislative clearance system was not, of course, the only means employed. The National Security Council Staff—especially the old Senior Staff reconstituted as the Planning Board—contributed importantly in some major areas. Certain of the presidential and agency study groups, among the many operating in 1953, helped also to build effective links between the new regime and its inherited experts; notably in the government organization, psychological warfare, social security, and housing fields.

The gathering of background facts, the sidestepping of new commitments, were the services commending central clearance to the White House staff in early 1953; initially the clearance system's *raison d'être* in the new regime. The fact that budget-cutting was one measure *not* deferred that year, soon gave the system added opportunities for service, harking back to purposes three decades old. And when, in August, 1953, the Eisenhower White House faced its first end-of-session flood of enrolled bills, its dependence on Budget aid—and Budget staff's dependability—was demonstrated forcefully, with due effect.

Thus, by midsummer, 1953, it was quite evident that legislative clearance would survive, remaining a close institutional adjunct of the White House staff, retaining a real role in the presidential orbit. But what kind of role, of what significance? The scope and character of Truman's clearance system evolved out of the drive to build a comprehensive legislative program, buttressed by specific measures bearing an Administration label. Nothing of the sort occurred while Congress was in session during 1953. And though the Truman forms remained, the substance of the clearance job, that session, bore less resemblance to postwar operations than to the narrower, more limited approach of Roosevelt's early years—or even, in some aspects, Coolidge's. "The key to this whole operation," remarked a Budget aide, "is whether Ike decides to have a legislative program. We can't interpret, much less help develop, something that isn't there."

In the event, that decision was emphatically affirmative, as demonstrated by the stream of presidential messages when Congress reconvened in January, 1954, and by the prompt introduction of Administration bills to carry out most Eisenhower proposals.[78] Thereby central clearance gained the last element required for a new start on its postwar course.

This did not bring full restoration of all Truman methods; naturally, there have been adaptations as to ways and means. However, most of the changes made in 1953 and early 1954 relate to a phenomenon which may prove transitory: the imperfect acquaintance, trust, relationship between the new principals and old staffs. No two departments are alike in this, but its effects are widespread still. Hence, much of the informal, day-by-day coordination once carried on through departmental bureaucrats is being handled by the Budget now—no less informally—through "little cabinet" officers or department heads themselves. Much of the developmental effort on main measures, once farmed out to staff-level working teams, now turns on full-dress departmental presentations to the Cabinet, dry-run for White House and Budget staffs well in advance; with essentials of agreement at the Cabinet table providing, then, the base for formal interagency accord through clearance channels. Even where something like a "Truman" working team has been employed—as with Taft-Hartley changes, for example—its membership has comprised principals rather than staff, save at the White House level.

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[77] Note that Eisenhower's inaugural marked the first change of party in the executive under the so-called "Lame Duck" Amendment; the new President was inaugurated only ten weeks after his election; the new Congress was in regular session two weeks before Inauguration Day.

[78] It has been the custom during 1954 for the White House to disavow Administration "sponsorship" of measures introduced by committee chairmen or other senior members after congressional receipt of presidential recommendations. But in the great majority of cases, as almost any *New York Times* account will show, these bills actually represent departmental drafts, conveyed with the Administration's blessing to competent authorities in Congress. This is the same route previously taken by most Truman "must" measures, which seldom traveled straight from White House to Congress. In all such cases, denials of Administration sponsorship are merely exercises in semantics, sometimes accepted at face value by the press, rarely, if ever, by congressmen, though giving all concerned a useful "out" for future reference.

It is too soon, of course, to be definitive about the Eisenhower pattern. As this is written—in the spring of 1954—many things remain unsettled and unsure. To cite just one example, there has not been, so far, a single Eisenhower veto of the disciplinary, attention-calling kind which lent its sting to clearances in Roosevelt's time and Truman's.[79] But if one thing is certain, it is this: the pre-existing patterns show a hardy tendency to reassert themselves in Eisenhower's present circumstances.

VII. THE CIRCUMSTANCES OF SURVIVAL

For more than thirty years now, central clearance has persisted, its history marked by a long series of "accidental," unforeseen accretions. Nothing once absorbed has been wholly displaced; each new element somehow encompasses the old. There have been periods of relative stability, if not stagnation; times of obscurity, even decline. But overall, here is a record of great growth, successful adaptation—this under six successive Presidents, through every variation in national and governmental circumstances since Harding's term of office.

What contributes to this continuity? What explains this institutional survival and advance, particularly in the years since F.D.R. cut clearance loose from its "financial" moorings? There is no answer in the statute books; no law prescribes this system. There is no guide in partisan commitments; one finds no platform planks or campaign speeches, pro or con. As for old presidential orders on the subject, the signatures of Roosevelt, Truman, Smith, and Webb are not, *per se*, coin of the realm today. The explanation lies in many things, but in these least of all.

Part of the answer can be drawn directly from events recorded in this paper. Note the impact of personalities, among them Roosevelt himself, Webb, Dodge, Bailey, Jones. Their interactions helped to mold—and to sustain—the modern clearance system. Note also the close correspondence of that system's varied fortunes, since 1933, to shifting presidential policy preoccupations in an era of "big government," successive national emergencies, and changeable White House political prestige. It is not sheer happenstance that central clearance was but temporarily obscured by operational crises in depression and war; or that its greatest institutional expansions followed the political events of 1938 and 1946; or that its postwar growth, while checked by the Korean outbreak, seems to be resuming in Korea's aftermath, despite the change of Administration.

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[79] This is not to say that the President subscribes to a Whig theory of the veto power. Staff aides contend otherwise and the evidence is not yet in.

Note, finally, the clearance system's formal locale in the Budget Bureau, a fact of real significance for continuity and for survival. Here is the oldest, toughest organism in the presidential orbit. The making of the budget is still the prime general-purpose, decision-and-action-forcing process yet institutionalized in the executive. The budget process, as it stands, is so firmly a fact of governmental life, so thoroughly assimilated in legislative and administrative practice and expectation, that its continuation goes unquestioned; its institutional embodiment, "The Budget," commanding everywhere a healthy measure of respect, if not always regard. Perhaps, as students now are fond of pointing out, the Bureau is by no means the ideal locale—not, anyway, in theory—for policy staff work on the substantive side.[80] And yet, in practice, nothing is so vulnerable as the high policy performer dangling loose, a ready target and potential sacrifice at every turn in presidential circumstance (e.g., NEC, OWMR). The more immediate the clearance system's policy involvement, the more advantageous, at least for survival, its impersonal exterior, its undescriptive designation, its "budgetary" context.

Theoretically, perhaps, the combination of effective personal relationships, continuing White House requirements, and stable staff resources should suffice to explain survival of a presidential mechanism aimed at administrative agencies. So might it be, were Presidents, in fact, "administrators" of some neatly unified executive. But they are not; instead, the White House looks out on:

> . . . a protean agglomeration of feudalities that overlap and crisscross in an almost continual succession of changes. Some of the lines of control . . . terminate in the Presidency, some in . . . the legislature and some . . . 'outside' the government; a few lie in the hands of 'subordinate' executives; many more involve all of these in collegial arrangements so informal as to be but dimly recognized even by the chief participants.[81]

This is the context in which "central" clearance actually operates; its very terminology a contradiction of the feudal order. How then does it survive?

It lasts because most of the wielders of real power in this wilderness find in it net advantage to themselves. Of course, the agency secure in a strong "horizontal" power complex—buttressed by potent clientele and purposeful congressional committees—may have but little tolerance for clearance of its pet proposals. But every agency is not a Corps of Engineers; few, if any, are so "favorably" situated all the time. Most measures of most agencies face an uncertain future in the legislative process. Whatever clearance brings by way of support, even acquiescence, from President and Budget Bureau, from other agencies and, implicitly, their clientele, may help to reduce hazards, strengthen prospects in the Congress. Of course, advance accommodation is the purchase price. Whether to pay or not to pay involves a complex, variable estimate of cost and return, power and position, which bureaucrats must calculate afresh in every case. This does not produce absolute adherence to either the form or the spirit of clearance regulations; it does, at least, give most agency officials a real, long-term stake in the system's survival. And that is reinforced, for every agency, by virtue of the chances clearance brings to sit in judgment on the other fellow's viewpoints and designs.

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[80] For examples, see Somers, *op. cit.*, pp. 213 ff., Norton Long, "Popular Support for Economic Programs," this REVIEW. Vol. 42, pp. 326–36 (April, 1948); Arthur Maass, "In Accord with the Program of the President?" in *Public Policy*, eds. Carl J. Friedrich and J. Kenneth Galbraith (Cambridge, Mass., 1953), Vol. 4, pp. 77–93.

[81] David B. Truman, *The Governmental Process* (New York, 1951), pp. 437–38.

As for senators and congressmen, they may show small concern for clearance niceties when potent sponsors or committees seize hold of an issue strongly backed by tough and vocal interests stimulating wide support. One thinks of Taft-Hartley, for example, or the McCarran Acts, or the Bricker Amendment. But Congress moves, perforce, on many measures of a very different character: on those the President stakes out for his own, and on a host of others which are neither "musts" for Presidents nor irresistibly appealing to members *en masse*. On the bulk of this business, overburdened legislators, in committee and out, need a handy criterion for choice of measures to take up, especially when faced with technical alternatives in which they have but little vested interest. They need, as well, an inkling of Administration attitude toward the outcome: how much, if at all, does the President care? What will he stand for when the bill comes down? What will he do thereafter, by way of budgetary follow-through? And save when they themselves choose otherwise, congressional committees need some measure of defense against time-wasting or discreditable cat-and-dog fights on their premises among the agencies concerned in pending bills. These services the clearance system can provide; that Congress wants them as a matter of practical self-interest is demonstrated by committee and leadership initiation of the direct referrals and other links to Budget now so integral a part of clearance operations.[82]

Naturally congressmen, like bureaucrats, incline to weigh the relative advantages of heeding or ignoring clearance actions, case by case. Particular results have varied greatly from issue to issue, from committee to committee, and even among personalities and between the Houses. But there can be few members who have not found some clearance actions to their taste, few legislative leaders or committee chairmen who have not seen some disregarded clearance warning rise to haunt them in a veto message or a bobtailed budget. Again, this does not make for uniform responses to the terms of clearance; it is productive, though, of genuine concern for the system's survival.

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[82] Another service merits passing mention: favorable clearance gives a sponsor opportunities to wrap his project in the "presidential" mantle; unfavorable clearance lets him rise to defend Congress and the public interest—and his bill—against executive blundering or "interference." Each tactic has its uses in the legislative struggle; each may bring members and their measures within reach of the publicity inherent in the presidential office. For a recent illustration, see the press treatment of sponsors' complaints against an apparently adverse Budget report on several House bills depriving Alger Hiss of retirement benefits. *New York Times*, June 23–25, 1954.

For all these reasons, the "feudalities" at both ends of the Avenue have found that it pays to tolerate the clearance system. They have, indeed, found it quite possible to do so without yielding to the President their underlying freedom to maneuver. Yet simultaneously the President, while also husbanding his liberty to move, has found in clearance means to make these gentry heedful of his powers when they exercise their own. The vitality of central clearance lies in the fact that it can satisfy, at once, both these conditions. The President, as he may choose, gains ample opportunities to make known his desires. But Congress and the agencies are not compelled to notice. And he, meanwhile, retains the right to alter course, or change his mind. The voice that speaks is not the President's; it is the Budget Bureau's. And when need be, the Budget serves as whipping-boy.

This is a neat arrangement; it helps preserve the enterprise. But it can do that only so long as the distinction remains more fiction than fact. Were there to be a demonstration, generally and over time, that Budget really spoke not for the President but for itself alone, then the whole game would lose its point and the participants soon cease to play. Here one is brought to a new set of questions: What is the "program of the President" that Budget claims to interpret in clearance actions? Does such a thing exist and if so how is it constructed, and by whom? These questions lie outside the scope of this paper, but they can serve, perhaps, as curtain-raisers for another study.

A PRESSURE GROUP AND THE PRESSURED: A CASE REPORT*

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The organized interest group does not make the laws of the land. It must devise means for gaining access to and influencing those who are constitutionally empowered to make, administer, or otherwise define the law. This study deals with the efforts of one organized group, the Associated Industries of Vermont, to secure its objectives in the 1951 session of the Vermont legislature. The study is correlatively concerned with the legislator's view of the AIV activities and, more broadly, of the legislative process.

I. THE PRESSURE GROUP

The Associated Industries of Vermont is a "peak" association; an organized business group which acts as spokesman for many diverse business interests in the state. The membership, which ranges from small manufacturers to the National Life Insurance Company, totaled some 450 concerns in 1951, the year in which the events to be described took place. Membership is by individuals, firms, and a few trade associations. Included were almost all the textile, the granite and marble, and the machine-tool companies in the state—representing three of the state's important industries. A rough estimate of the total payroll of the member concerns was about half of the total payroll of the state. A few retailing and other non-manufacturing members had recently been added.

This study does not attempt to deal with all the events of the 1951 session, nor even with the myriad ways in which business opinion in Vermont gained or failed to gain acceptance on a range of issues. It is concerned primarily with the overall strategy of the staff of the Associated Industries to gain access to the legislature, and with the specific tactics used by the AIV.

Access to the Vermont legislature is always difficult for the Associated Industries. No matter what the nature of the issues, the AIV is certain to face a legislature more sympathetic to the Farm Bureau than to a business group. Since each township in the state, irrespective of population, is entitled to one representative in the 246-member lower house, the natural preoccupations of the state with agricultural problems are further magnified in the legislature. Although 30.5% of the population live in towns of 5,000 or more, only 5.3% of the members of the lower house represent towns of that size. More than half of the AIV's membership in 1951 were located in towns of more than 5,000

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population, which means, of course, that access to legislators through AIV-member-constituents was singularly limited.[1]

Despite these characteristics of the state and the legislature, which continually handicap the Associated Industries in attempts to gain access to the legislators, AIV appeared to be in a strong position when the 1951 session opened. Although it could not appeal to the mass of legislators, the formal leadership of both houses was decidedly receptive to consideration of the AIV point of view. In fact, the formal leaders of the houses were themselves key figures in the formation of the AIV point of view. The Lieutenant-Governor and President of the Senate, Joseph Johnson, was at that time on the Executive Committee of the AIV. He had been a vice-president of the Association, a member of the 1949 AIV Legislative Committee, and had been under consideration for the presidency of the Association until his election as Lieutenant-Governor. In private life he had been vice-president of a large machine-tool company. The Speaker of the House, Wallace M. Fay, was a director and a member of the Executive Committee of AIV. He, too, had been a member of the 1949 AIV Legislative Committee. Fay was vice-president of the Vermont Marble Company. The President Pro Tem of the Senate, and chairman of the Senate Rules Committee, Merrill Harris, who was president of one insurance company and a director of another, was also at that time a director of the AIV.

The chairmen of the standing committees in the legislature are not designated by virtue of seniority. They are appointed by the Speaker or by the President of the Senate. The AIV was directly influential in the appointments of chairmen and members of the committees considered of probable concern to the business group. The chairman of the House Commerce and Labor Committee, Walter Malmquist, president of a wood products company, had been a member of the 1949 AIV Legislative Committee together with Fay and Johnson. The chairman of the House Social Security Committee, while not a member of the Association, was appointed on the recommendation of Theodore Kane, the Executive Vice-President and manager of the AIV. The two other AIV members of the legislature were appointed chairman of the Senate Finance Committee and chairman of the Senate Commerce and Labor Committee, respectively. However, these two, although members of the AIV, were not as active as Fay, Johnson, Harris, and Malmquist, all of whom had held or were holding positions of responsibility in the formal organization of the group.

The AIV also had reason to suppose that the newly-elected governor, Lee Emerson, would have a readier ear for its opinions than had Governor Ernest Gibson. Although both governors were, inevitably, Republicans, this meant less than the fact that Gibson was associated with one faction of the Republican party in the state, and Emerson was allied with the opposing faction.

The development of the factional split in the Republican party is a major part of the story of the progress of the 1951 session, and is tied in some measure to an understanding of the role of the Proctor family in Vermont politics. This role reaches back to 1878 when Redfield Proctor started on an active political career, serving as governor in 1878, as Secretary of War under Benjamin Harrison, and in 1902 as United States Senator. During this period, the Vermont Marble Company, owned by the Proctor family, became the largest single company in the state. The Proctor family continued throughout the years to take an active interest in the politics of the state; and although the process of gaining office is certainly not a simple one, the history of the Proctors would seem to substantiate the folk tale that as soon as a Proctor reached the proper age he was elected governor of the state. Between 1878, when Redfield Proctor was elected governor, and 1944, when Mortimer Proctor became governor, three other members of the Proctor family served in that position. The Proctors were not and are not today political "bosses" of the state. Although the family might almost be viewed as a fixed pole in Vermont politics, it is fixed not in terms of ideology but in terms of repeatedly occupying an influential position in the political power structure of the state.

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[1] As far as the party division in the legislature is concerned, it should be sufficient to say that the Democrats counted among their members 21 representatives (8.5%) and one senator. On all matters, including that of organization of the House and Senate, a Democrat in the Vermont legislature is indistinguishable by his voting behavior from a Republican.

Until the middle 1930's, knowledgeable informants agree, there was no serious or lasting cleavage in the Republican party of an ideological nature. But in 1934 appeared the first glimmer of a split which could be viewed as other than over personalities. In that election the Farm Bureau moved toward a formal endorsement of candidates in the primaries, and successfully backed Charles Smith for the governorship. In 1936 George Aiken was elected governor, again with the support of the Farm Bureau, which also supported his successful campaign for re-election in 1938. In these campaigns, the Farm Bureau in effect opposed Proctor candidates. During the war years Vermont politics quieted down, and Mortimer Proctor was elected in 1944, fully expecting re-election in 1946 for the traditional two terms of office. But in 1946 Ernest Gibson returned from the war and upset the proprieties by defeating Proctor in the primary and gaining the governorship, with the public endorsement of the Farm Bureau.

Gibson's election provoked a split in the Republican party of a type and meaning which remain somewhat enigmatic. Part of his opposition was made up of those who were irritated at the violation of the second term tradition, which would have given Mortimer Proctor a second term in office. To some observers, the split is a "liberal-conservative" one, with Gibson as a "New Deal kind of Republican" opposing the "Old Guard." Yet his program and policies in his two terms of office centered around major points which it would be hard to view as the foundations for a deep ideological cleavage. Gibson opposed the construction of a dam on the Connecticut River on the grounds that it would flood good farm land. This endeared him to the Farm Bureau and solidified the Aiken-Farm Bureau-Gibson combination. It also evoked murmurs of discontent from the private utility companies. The utilities were further incensed when in 1949 Gibson proposed to establish a Vermont Power Authority to negotiate for and distribute electric power produced by the St. Lawrence Seaway developments, if and when such developments occurred. The Farm Bureau backed Gibson fervently on this proposal which was, however, defeated. For Senator Aiken this was one facet of his participation in the struggle for federal endorsement of the Seaway. In Vermont, Gibson's proposal brought cries of "socialism" and established him as something of a radical. Other programs included a Department of Health to administer mobile health units, and a State Police system to augment the local sheriffs. He pressed for additional construction of state institutions, projects which had been ignored during the war years. He created a Development Commission to encourage industrial expansion in the state, to attract new business to the area, and thus to stem the steady outflow of Vermont's younger generation. These policies were viewed by many as radical and involving a wanton expenditure of money. They were acclaimed by others as "progressive" and as sensible investments in the state's health. When, in 1949, Gibson resigned from the governorship to accept a Truman appointment to the federal district court, many felt that the accusations of radicalism were vindicated.

The 1950 campaign was a complicated affair, with candidates for the Republican primaries announcing first for one office and then another in a whirl of indecision. When the merry-go-round slowed down there were three candidates for the Republican nomination for governor. One of them, Peter Bove, was generally regarded as "a Gibson man," but without as broad a backing as Gibson himself had had. The second, J. Harold Stacy, although he had been Gibson's Speaker of the House in the 1949 session, was considered to be nobody's man and a middle-of-the-roader, whatever that might mean in the low temperature politics of the state. Lee Emerson, the third and successful candidate, had been Lieutenant-Governor in Mortimer Proctor's term as governor, although this did not necessarily mean that he was "Proctor's man." The Proctors, in fact, did not appear to take much interest in the 1950 campaign until the last two or three weeks, when, it is often reported, they decided upon Emerson as the least of three evils and it became generally known that he had their backing.

The Associated Industries scrupulously refrained from taking any part in the 1950 campaign. Although the AIV had no direct connection with Governor Emerson, the links were there, and the campaign situation did nothing to weaken the possibility of cooperative relationships between governor, legislative officers, and the business group. At the very least, it was clear that the new governor could expect little support from former Gibson associates. As the new administration began and the legislature convened, the AIV made the explicit assumption that the official climate of opinion in the state government would be more congenial than in recent years and its own problems of effective access much simpler and more direct.

II. THE 1951 LEGISLATIVE SESSION[2]

The AIV did not concern itself actively with the full range of issues in the 1951 session. Rather, the staff focussed a major portion of its energy on one bill, the proposal of the labor groups to include certain occupational diseases under the Workman's Compensation Act. Theodore Kane, Executive Vice-President of the AIV (and for all practical purposes "the staff"), told the Association's members that this was "the most important legislation affecting industry to come before the 1951 session."

The development of this issue in the 1951 session is a not unrepresentative example of a process of inter-group negotiation characteristic of state legislatures when dealing with issues of something less than first-rank drama and political potential. The nature of such negotiations among interests is often assumed to be characteristically one of mutual hostility. Rather than assuming the legislature to be subject to a barrage of independent and divergent pressures, it may be closer to reality to conceive of a pattern, shifting through time, of alliances of interests which engage in negotiations and compromise outside the legislature. The rather picturesque comment of one member of the Vermont House is suggestive. Commenting on the AIV-labor negotiations on the occupational disease bill, he said that there were too many bills to keep track of in the session, and "if it is satisfactory to them you figure you're not cutting anybody's gut." The example of the occupational disease bill is also a cogent illustration of the role such group negotiations play in broadening access to the legislature for one group or another. The labor groups in Vermont had, with the exception of three or four friendly legislators, little or no opportunity for gaining access *except* through the AIV.

The occupational disease bill story begins in 1947 when the granite workers, concerned about silicosis, sought to have it covered under Workman's Compensation. Procedure followed the pattern prescribed for most legislative proposals of even ordinarily controversial nature: a temporary committee was set up which recommended further study by a five-man commission. The commission was established and reported to the 1949 session, presenting a majority report and a minority report. The AIV, although it preferred the majority report if forced to make a choice, offered still a third course; and the labor groups, although they preferred the minority report if forced to make a choice, came up with a fourth proposal. All four of these proposals reached the floor. The Vermont House normally consists of more than 50% "first-termers" who are unaccustomed for the most part to legislative routine and are traditionally prone to vote "no" on everything when confronted by confusion of amendments, substitutions, and other such sophisticated parliamentary practices. Acting in true form, the 1949 House defeated the majority bill, the minority bill, and labor's proposed substitutions, and passed the AIV's suggestion, which was to authorize the establishment of a Division of Industrial Hygiene in the Department of Health whose function it would be to recommend better methods for preventing occupational diseases.

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[2] Much of the material presented in this section is based on reports of participant observers who were employed in the offices of the Associated Industries and the Vermont Farm Bureau during the 1951 legislative session.

For the time being, this was doing nothing about workman's compensation. However, the granite industry and the AIV, and most especially Mr. Kane, were well aware of the fact that the labor groups would make another try in the 1951 session. Despite the conservative drift of opinion in state and nation, and the exceptional access to the legislature enjoyed by AIV in 1951, it was never concluded by Mr. Kane that business interests could call the tune, even with relation to labor. This, be it noted, was not because labor was strong, but because business interests remained essentially weak. Farm leaders were characteristically Bull Moose progressive on business issues, disliked bankers for the record, distrusted big business and Wall Street to notable political advantage. Vermont legislative policy had, on a number of issues, been liberal to an exceptional degree, considering the conduct of some of the neighboring states and the very limited per capita wealth of the state. Business endorsement of a policy was considered, in the AIV office, a surety of defeat. This gloomy assessment may well have been an exaggerated projection of the 1930's, but it significantly conditioned the course of the negotiations. Since it was judged doubtful that an occupational disease law could be postponed indefinitely, the better strategy seemed to be for industry itself to take the initiative, present its own bill, and start any negotiations in an offensive rather than defensive position. Although it is not possible to place responsibility for this decision, it is more likely that it was Kane's rather than that of the Barre Granite Association, many of whose members were opposed to the passage of any bill.[3]

In December, just prior to the opening of the 1951 session, a meeting of minds was achieved between the leading members of the Granite Association and Kane, and a bill was drawn up. This bill resembled in its essence the majority bill of 1949, although the form was greatly simplified, especially by the omission of the innumerable "except as hereinafter otherwise provided" clauses to which the minority report had strenuously objected. The bill was taken to the Governor by the AIV and all seemed to be well. Two days later word came from Emerson that there were objections to the proposed bill. Kane would have to reach agreement with labor or there would be trouble in the legislature, trouble in the form of opposition on the floor by one or another of the handful of legislators friendly to labor. Such objections threatened a repetition of the events of the 1949 session, where the confusion of disagreement on the floor led almost inevitably to legislative disapproval.

The course followed by Kane to secure agreement was to set in motion a series of sessions with the CIO, or as some legislators termed it, "a horse trade." The AIV had planned to introduce in this session three bills aimed at tightening the qualifications for workers claiming benefits under the Unemployment Compensation Law. It is not impossible that these bills were planned as bargaining items, although intrinsically they were compatible with AIV aims. Labor in turn hoped for an increase in the maximum duration of unemployment benefits from 20 weeks to 26 weeks, and for an increase in the maximum weekly payments from $25 to $30.

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[3] The Barre Granite Association included among its members almost all of the 117 granite companies in the state, and had joined the AIV as an association, paying a lump sum annually as dues.

Kane and the CIO representative went into a determined huddle over who would give up what in return for what. Labor's concern was to get an occupational disease bill on the books in some form or other. The AIV, on the other hand, felt that its legislative position was stronger in this session than it had been for some years and that it might be in sessions to come, and therefore wanted to get an occupational disease law in a form acceptable to business. Labor knew that the most it could hope for in a future legislature would be an increase in the number of "friendly" legislators from the three or four in the 1951 session to a possible five or six. Unless the AIV felt that labor was "cooperative," labor demands might be ignored. It was only through the maintenance of reasonably amicable relations with the Association that labor interests could look for success in the legislature. Labor finally agreed to the occupational disease bill in the form in which the AIV had drawn it, and agreed also to withdraw all its proposals for increasing unemployment benefits and extending the duration of payments. The AIV in turn agreed that it would withhold in this session the bills tightening qualifications for unemployment compensation.

These negotiations were carried on completely outside the legislative halls with only two legislative participants. One, Walter Malmquist, was the AIV-picked chairman of the House Commerce and Labor Committee. However, his role was not that of active negotiator but that of liaison between the AIV and the legislature, a role which he played throughout the session on all AIV issues. He kept Speaker Fay and some of the more important legislators informed on this and all other situations in which the AIV was concerned. The other legislator present was the representative from Barre Town, Ralph Smith, who was recognized as the principal legislative spokesman for labor. One or two other legislators were involved in some portions of the bargaining process, and although they did not know the details of all that had happened, they knew that, since agreement had been reached, the bill should be approved. The vast majority of the legislators, however, knew only that both Malmquist and Smith rose on the day of debate and announced that both industry and labor thought the bill should pass. They sat down, the vote was taken, and an occupational disease bill passed the House. The Senate, also noting that Malmquist and Smith urged the bill, granted its approval and the bill became law.

The passing of this bill was not accomplished by any visible lobbying. No attempt was made by either of the interested parties, industry or labor, to "buttonhole" members of the legislature and persuade them of the righteousness of the cause. There was no pleading before legislative committees. Rather, the differences of opinion within industry were first resolved and then agreement on the nature of the bill was reached between the representatives of organized industry and labor. Agreement to pass the bill came as a result of swapping and cancelling out objectives announced for the 1951 session. Bargaining was readily achieved by virtue of a long-standing "open-door" policy which existed between Kane and John Mitchell, the representatives of the AIV and CIO, respectively. Success for each of them depended upon maintaining an attitude of willingness to bargain with the other, although this dependence was more keenly felt by the CIO than by the AIV. The bulk of the legislators were more than willing to accept the bill without feeling a need to know what had happened behind the scenes, or if anything had happened. Their attention was caught by the more dramatic bills which had not been so resolved and which thus resulted in a clash of interests on the floor.

These more dramatic clashes, which in 1951 centered about the problem of the Governor's budget and tax policy, illustrate the limitations of the above methods. One factor important to the success of the occupational disease negotiations was that the bargaining and the legislative action came relatively early in the session. The bill was passed by the House in the last days of March and by the Senate in the first week of April. Up to that point the social and political organization of the legislature had been comparatively unstructured, and factional lines had not yet become sharply defined. Less than a week after passage of the occupational disease law, the entire character of the legislature changed and "the honeymoon was over." If the occupational disease bill had come up any later than it did, Administration support might have proved a liability and the issue might well have become entangled in the struggle which characterized the remainder of the session.

Governor Emerson, in his inaugural address and budget message, proclaimed an era of economy. No state department was to receive funds for additional personnel or new projects; wherever possible duplication was to be eliminated and consolidation of agencies effected. Above all, no new taxes were to be levied, except for a half-cent increase in the gas tax, which in Vermont is earmarked for highway development. This program in itself, while perhaps not entirely realistic in an inflationary period, would not have alarmed most members of the state legislature. What did arouse comment, and eventually deep acrimony, was the detail of this program. For the departments and agencies singled out by Emerson as those in which the greatest cuts could be made performed services inaugurated by his predecessor, Ernest Gibson. The Vermont Development Commission was to be virtually eliminated, and the new State Police was to be merged with the Motor Vehicle Department. Savings from these two reorganizations were budgeted as sufficient to avert tax increases. The Governor warned that if his program were not carried out, the burden of balancing the budget would rest upon the members of the legislature.

These two issues were seized upon by those in the legislature who had been Gibson supporters, and by much newspaper opinion, as purely "political" maneuvers, designed only to "undo all Gibson had done." By the time the two bills reached the House in early April they had become regarded as Emerson's "test of strength." In the event, they demonstrated that the Governor could not effectively "control" his legislature, for the House voted $100,000 to the Development Commission instead of the Governor's proposed $20,000, and defeated the proposed State Police-Motor Vehicle Department merger. The Senate restored another $100,000 to the Development Commission, or all but $40,000 of the Commission's original budget request of $240,000.

It was not to the advantage of the AIV to become embroiled in either of these issues. Factions in Vermont do not have the stability of established parties in other situations. Today's opponents may well be tomorrow's political compatriots. The Association managed to stay clear of the merger issue almost entirely. However, the Development Commission battle was more difficult to avoid. When a public hearing was scheduled on the proposed cut, Kane received word from the President of AIV to appear at the hearing and support the Governor's proposal. However, there were pressures in the opposite direction. Among the more determined opponents of the proposed cut were the local chambers of commerce, and the resort and hotel interests. Many of the latter were recent additions to membership. Kane could not afford to alienate one part of his membership in order to satisfy another. Furthermore, perhaps the most determined opponent of the proposal was the Vermont Farm Bureau. Since the Farm Bureau was unquestionably the most powerful organized group in the state, it was never to the advantage of the AIV to appear in direct, certainly not in open, opposition to it, if such a position could be avoided. The day of the hearing found Kane with important matters to attend to elsewhere.

Although the AIV managed to remain nominally neutral in these two issues, the Governor's defeat affected the AIV in the consequent problem of taxation. When both of the Governor's major proposals for economizing were defeated, and when the legislature also passed a bill raising the salaries of state employees, it was clear the budget would not be balanced unless new taxes were levied. As he had promised, Emerson had no tax proposal to offer. The legislators were in this difficulty despite his warnings, and the legislators would have to get out of trouble by themselves.

This interpretation of the role of the executive resulted in something close to chaos in the legislature. No one in the legislative branch considered himself responsible for working out an overall tax program. As one senator pointed out, "it's not very smart politically to introduce tax bills. That's supposed to be the job of the Administration, and everybody was glad to leave it to them." However, a small group of leaders of the Governor's faction attempted to solve the problem by introducing a series of small taxes which became known as the "patchwork taxes." Rather than raise the state income tax, a policy which Emerson had disapproved in his budget message, and rather than leap to the politically unpopular sales tax, this group proposed increases in the taxes on beer, on soft drinks, and on amusements. None of these proposed taxes had the official blessing of the Governor. Contradictory reports about his preferences flowed freely in the legislative corridors. Since the patchwork taxes were being proposed by legislators regarded as "Emerson men," there was some feeling that Emerson was backing the patchwork program; and in fact Emerson was meeting regularly with this group of legislators to discuss the possible methods of passing these taxes. The patchwork program was speedily defeated.

Kane did not find it appropriate to take the initiative on new taxes. The membership of a business group is not likely to be tolerant of the staff's proposing a more active tax program than those emanating from the executive and legislative branches. Furthermore, over the objections of a number of his members, Kane had actively supported a withholding tax earlier in the session. This was not a "new tax," but a new method of collecting taxes. Since it was to be retroactive, it was to result in an immediate "windfall" of several hundred thousand dollars of revenue. Kane, and the Governor as well, had harbored some hopes that this windfall would lessen the pressure for any further taxes. Having gone beyond his membership in this, Kane was unwilling to approve, in the name of the AIV, any further tax proposals. Finally, though none of the industries presently in the AIV would have been hit by the patchwork taxes, Kane was trying to broaden the base of membership in the Association to include, among others, business at which the taxes were directed. Kane was not prepared to alienate these potential members.

It was now the middle of May. The 1951 legislature had already broken all records for length of session, and a solution to the tax problem was not yet in sight. A sales tax proposal was thrown into the hopper, but did not receive the approval of even 15% of the House. It was generally recognized that a tax of this sort required more preparation than a day or two spent copying a bill currently proposed in New Hampshire.

The legislature finally turned from the confusion to a 15% surtax on the state personal and corporate income tax, a solution proposed and introduced in the House by a legislator readily identified as "a Gibson man." This was the only tax on which the Governor had explicitly taken a stand, stating clearly in his budget message that "I do not favor any change in the existing income tax law at this time." It was the tax which the AIV would logically have wanted to defeat. But the AIV was by this time in a changed position. The Association had, at the outset, enjoyed access to the legislature through the formal leadership of the House and Senate. By the end of the session, the formal leadership did not coincide with the actual leadership. The Governor by his policy throughout the session, and by withdrawing himself from leadership on the whole question of taxes, had precipitated the latent cleavage in the legislature. Two sets of informal leaders had emerged.

It could be argued, no doubt, that the Governor and the AIV had not been wholly realistic in assuming that Emerson's program would be adopted in full and that therefore no tax program would be necessary. It might have been wise to have considered early in January what program would be preferred in the event that some new taxes became necessary. When the major decision of tax policy had to be faced, AIV had neither a policy known and acceptable to its members, nor access to the leadership which had developed in the legislature.

III. THE PRESSURED

After this summary of the 1951 legislative session from the perspective of the Associated Industries, it is appropriate to report how the events of the session looked to some of the members of the legislature. The questions to be explored are how these legislators themselves perceived the legislative process; what they thought was their own role in the process; and what place they attributed to organized group interests and activities. More specifically, what issues stood out for these legislators as "important," and for what reasons? What did they think was the role of organized interest groups in shaping the decisions on these or other issues? How much group activity and what kind of group activity were, in fact, visible to the legislators?[4]

The legislators, who were interviewed from two to four months after the close of the 1951 session, did not tell a uniform story of what had happened during the five-month session. They chose for themselves several different kinds of signposts as guides through the confusion and stress of the session. They had different ways of structuring the experience, different perspectives on the elements of the legislative process.

Among the members of the lower house there appeared to be four different ways of describing the session. One group of House members were distinguished by their reluctance to impose any intellectual scheme or interpretation on the events of the session. All of the many episodes of the session were remembered, often with some difficulty, as so many separate items. There was a striking tendency among these representatives to refer questions about specific issues to the report of the committee which had handled the bill, although this is not to say that they remembered very clearly which committee had indeed handled which of the bills under discussion. Unable to see relationships in the handling of different issues, or relationships among informal groups of legislators, these representatives, making a virtue of necessity, seemed to cut down the confusion by taking the "safest" course. They argued that the standing committee members ought to have the "right decision" on each bill, and that the committee reports ought to be followed by the legislature. These legislators had not evolved broad standards for judging the issues as matters of social policy. They did not see the legislature as a forum for rival parties, factions, or interests. They did not identify leaders in the legislative process. Their interpretation of events was in terms of a traditional democratic morality. As representatives they were under obligation to their own consciences to do the right thing. The standing committee was to define, from its hearings and special competence, what was right. As observers of the interaction patterns in the 1951 session, they were "non-generalizers," and will be so termed below.

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[4] The sample of legislators who were interviewed is not statistically representative of the membership of the 1951 session of the Vermont legislature. Forty members of the 246 representatives were interviewed, and 16 of the 30 senators. Half of the members of the House sample were selected by the participant observers in the Associated Industries and the Farm Bureau as either accessible to the interest groups under study, influential in the legislature, or both accessible and influential. The remaining half of the House sample was selected on a random basis. It was originally planned to interview the entire membership of the Senate, but interviews were completed with only slightly more than half of the senators.

Despite the fact that the entire sample was not chosen on a random basis, the sample as it was drawn is representative in certain characteristics considered relevant. The geographic distribution of the members and the party division in the legislature are quite accurately reflected in the sample, as is the distribution by previous legislative experience. The 40 members of the House under-represent slightly the proportion of representatives from the smaller towns, and the proportion of farmer-representatives, and over-represent slightly the proportion of lawyer-representatives.

A second group of members of the lower house was sensitive primarily to the factional cleavage among the Republican legislators. Although these representatives could identify some of the more specific issues on which the cleavage had been apparent, they tended to discuss the cleavage as a conflict between rivals seeking advancement and power in state politics. For them a great many of the events of the session had turned on which group of factional leaders was the more effective or persuasive. These representatives will be referred to as the "faction-oriented."

A third group of the legislators added a further dimension to the process. They were aware of the factional clashes. They saw also a relation between the Governor's program and the emergence of factional alignment. Among this group, the Emerson supporters felt that his original message of economy in state programs, to avoid tax increases, had been sound. Although they had doubts of varying degrees about the specific proposals which were to effectuate this program, they cast their lot with the overall aim. Those who developed into "the opposition" had in some cases been Gibson supporters in previous years, and in other cases had been uncommitted. But they agreed that the reorganization and decimation proposals were unacceptable, whatever the merit of economy in general. For these legislators, the session was a struggle between factions emerging out of the Governor's program. They were essentially "program oriented" in their answers to questions covering the range of legislative activity.

A fourth group of representatives, "policy-oriented", saw the relation between broad program and faction. But their concern was with their own role as active leaders promoting particular policies or seeking to take care of policy in what might be called an issue area. Three were focussed on the interests of labor, and a fourth dealt with education. To these legislators the story of the session was the story of their own activity with relation to these policy matters and their own negotiations with interest groups and legislative factions. To a degree they sought for themselves a limited and special role as factional leaders; but their purpose and their interpretation of events were in terms of particular policies.[5]

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[5] These perspectives and the analyses to follow must of necessity be impressionistic and based on rough quantification. The sample is too small to allow more rigorous validation. The number of representatives who fall into each group should be kept in mind.

IV. LEGISLATIVE VIEWS OF ISSUES AND GROUPS

The research used a focussed interview. At the outset the legislator was asked what he considered the most important problem of the session. It was mainly from the responses to this question that the varying perspectives emerged.

With one exception, all the "policy" and "program-oriented" legislators selected as the most important problem of the session the question of the Governor's program and budget, which led them immediately into a discussion of the policy of economy, the State Police merger and the Vermont Development Commission questions, the various tax programs, and the split in the Republican party.

Most of the "faction-oriented" selected the merger, the Vermont Development Commission cut, or one of the tax proposals. The biggest difference between this group and the "policy-" and "program-oriented" groups was the failure of the "faction-oriented" to see the interconnections between any of these issues and the entire range of issues which had made up "the problem" for the first two groups of legislators.

As for the fourth group, the "non-generalizers," almost every representative in this group picked a different issue as "the most important problem in the session." A few chose one or another of the tax proposals, but the range of issues selected was widely scattered. Every issue appearing in the interview with a member of this group was treated by him as a discrete issue with no apparent sense of interconnections.[6]

Group	Number of Representatives
"Policy-Oriented"	4
"Program-Oriented"	12
"Faction-Oriented"	13
"Non-generalizers"	11
Total	40

The Senate sample is too small to analyze separately. All quantifications are based on the representatives. The findings reported on the representatives appear as tendencies in the Senate. The two samples have not been combined, since the two populations differ in intrinsic characteristics.

[6] After the legislator had completed his discourse on "the most important problems," specific issues were introduced unless volunteered by respondent. Since the interest group activity on these issues was available from the participant observers, one purpose of the legislative survey was to complement this story with a picture of how the process appeared to the legislator. Accordingly, it was planned to include discussion of the questions on which the AIV had been most active and interested: the occupational disease and unemployment compensation bills which had been involved in the business-labor negotiations. Each interview was also intended to include a discussion of the Governor's budget, the proposed State Police merger, the proposed cut in the Vermont Development Commission appropriations, the "patchwork" taxes, and the sales-income tax alternatives.

In addition, the interviews were planned to include discussion of two matters on which the Vermont Farm Bureau had been active: a proposal to permit the sale of colored oleomargarine; and two proposals relating to the St. Lawrence Seaway, one memorializing Congress to approve the Seaway, and another establishing an agency in Vermont which would be authorized to negotiate for power resulting from any St. Lawrence development.

The most striking fact which emerged from the interviews as a whole was the extremely low level of recognition of interest group activity. Although every representative interviewed knew of the Vermont Farm Bureau, more than a third had never heard of the Associated Industries of Vermont, and only a few more had any notion that the labor interests in Vermont were organized. One third of the representatives had never heard of Arthur Packard, for a generation the president and lobbyist for the Farm Bureau, and about two thirds of them were unable to identify the lobbyists for either the AIV or the CIO. Even fewer were able to recall more than one issue in which these groups had been interested.

TABLE I. PER CENT OF REPRESENTATIVES INTERVIEWED WHO WERE ABLE TO IDENTIFY ORGANIZED GROUPS, THEIR LOBBYISTS, AND ISSUES IN WHICH THE ORGANIZED GROUPS WERE INTERESTED

(N = 40)

Question	Per Cent Able to Recognize		
	Farm Bureau	AIV	CIO/AFL*
Group itself	100.0%	62.5%	77.5%
Lobbyist	70.0	40.0	37.5
More than one issue	60.0	30.0	30.0

* Although John Mitchell, the labor lobbyist identified here as the most active during the session, represents officially the CIO, he was considered to have been representing both the CIO and the AFL. The granite quarry workers belong to the CIO and the stone cutters belong to the AFL.

These differentials in the ability of the representatives to recognize organized groups, their lobbyists, and issues in which the groups were interested are closely linked to the different ways the various legislators structured the session. The representatives who made the more complex analysis of the legislative process, the "policy-" and the "program-oriented," saw more organized group activity than did the "faction-oriented." The "non-generalizers" had the lowest level of recall and recognition of organized group activity. Their concept of the legislative process did not require it of them. Or was it that, lacking recognition of interest groups, their concept of process had to build without such elements? The data allow the question to be raised, but do not answer it.

The level of recognition or recall of group activity involved in this analysis is not exacting. It is based on the ability of the legislator to recognize or recall the existence of the organized farm, business, and labor interests; to recognize or recall the name of any of the lobbyists for these groups; and to link either the organized group or its lobbyist to issues which had arisen in the 1951 session.

The interviews did not follow a prescribed sequence, nor were they confined to these topics. They did not always achieve complete coverage, either because respondent lacked information or interest in the proposed items, or because the interview developed respondent's concepts of party, faction, interest group, executive roles, and issues by other means.

TABLE II. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO IDENTIFY ORGANIZED INTEREST GROUPS

Legislative Perspective	Number	Per Cent Able to Recognize Organized Interest Group		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	100.0%	100.0%	100.0%
"Program-Oriented"	12	100.0	100.0	100.0
"Faction-Oriented"	13	100.0	56.2	76.9
"Non-Generalizers"	11	100.0	45.4	45.4
Totals	40	100.0	62.5	77.5

TABLE III. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO IDENTIFY THE LOBBYISTS FOR EACH GROUP

Legislative Perspective	Number	Per Cent Able to Recognize Lobbyist of the Group		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	100.0%	100.0%	100.0%
"Program-Oriented"	12	75.0	75.0	41.7
"Faction-Oriented"	13	84.6	23.0	23.1
"Non-Generalizers"	11	36.4	00.0	27.3
Totals	40	70.0	40.0	37.5

TABLE IV. REPRESENTATIVES IN EACH CATEGORY OF PERSPECTIVE ON THE SESSION WHO WERE ABLE TO RECALL MORE THAN ONE ISSUE IN WHICH A GROUP HAD BEEN INTERESTED OR ACTIVE

Legislative Perspective	Number	Per Cent Able to Recognize More Than One Issue in Which Each Group Had Been Active		
		Farm Bureau	AIV	CIO/AFL
"Policy-Oriented"	4	75.0%	100.0%	100.0%
"Program-Oriented"	12	83.3	58.3	33.3
"Faction-Oriented"	13	61.5	7.7	23.2
"Non-Generalizers"	11	18.4	9.9	18.4
Totals	40	60.0	30.0	30.0

There was far less recognition of inter-group bargaining, techniques of lobbying, and patterns of individual interaction. Only two of the representatives interviewed were fully aware of the inter-group negotiations which had taken place on the occupational disease bill. Two or three others knew that some negotiations had taken place, but did not know that concessions had been made by the two sides. They referred questions about such details to Representatives Ralph Smith or Walter Malmquist, who, it will be recalled, were the two representatives actually involved in the whole range of negotiations. Another two or three representatives knew that business and labor—and they only presumed that it had been Kane and Mitchell—had somehow managed to agree on the occupational disease bill, but had no idea of what the agreement had involved or that it had taken the form of a *quid pro quo*. The remaining representatives could recall the occupational disease bill only dimly, and associated it vaguely with labor, but for the most part did not recall that the AIV or "business" had been concerned with it, and had no knowledge of "business-labor" conferences, negotiations, or compromises.

This less than a dozen representatives who had been aware to varying degree of the protracted and, to the AIV and labor, highly important negotiations, were almost without exception the only ones who were able to discuss in any detail the nature of the membership of the Associated Industries, and it was not clear to all of them how the diversity of membership had influenced Kane's ability to act in the development of the tax program. The other representatives were hardly aware of the existence of the AIV and had no conception of the nature of its membership. All those with the "policy-oriented" perspective and half of those with the "program-oriented" perspective knew that the AIV had a high degree of interest in the various tax alternatives which were being proposed, and they had been watching to see whether the group would, in fact, take a position on tax changes. None of the other representatives (who constitute 75% of the sample of the lower house) had any notion that the AIV was interested in the tax proposals.

The dimensions of a legislator's awareness of group activity do not appear to be related to respondent's affiliation with one faction or another. Faction was also unrelated to the representative's conception of the process in the legislative session. As noted above, however, there was a relationship between the way the legislator structured the events of the session and his ability to report the activity of organized groups. Furthermore, it was not unexpected

TABLE V. RELATIONSHIP BETWEEN PERSPECTIVE ON LEGISLATIVE SESSION AND SOCIO-ECONOMIC VARIABLES

Legislative Perspective	Number	Per Cent of Legislators within Each Category		
		From Towns With Pop. of More Than 2,500	With Previous Leg. Experience	With College Education
"Policy-Oriented"	4	100.0%	75.0%	100.0%
"Program-Oriented"	12	50.0	66.7	58.3
"Faction-Oriented"	13	15.4	53.8	30.8
"Non-Generalizers"	11	0.0	27.2	9.1

that the more complex patterns were seen by respondents of longer legislative service, more education, less geographic isolation, and more urban background.

Widely different attitudes and value judgments emerged from the interviews as to the role of interest groups in the decision-making process. A number of the legislators, mostly "policy-oriented" or "program-oriented," recognized the importance of inter-group negotiations in softening the edges of conflict among interests, be they organized or unorganized. Some legislators cited instances when they themselves had urged such negotiations. Others had sought to establish that such inter-group conferences had taken place and that the results were acceptable to the participants. One legislator, for example, discussed the occupational disease bill by saying:

> . . . that was one thing John Mitchell was very interested in. I saw him around and asked him about it, and he told me to vote for it. I asked him if he was satisfied with it, and he said "no," he wasn't, but "go talk to Ted Kane—he isn't satisfied with it either. Or talk to (Ralph) Smith—he isn't satisfied either. None of us are satisfied, but it gets a bill on the books." So it was a compromise bill, and I voted for it.

Then there were the legislators, also among the "policy-" and "program-oriented," who pointed out that unilateral pressure was not ordinarily effective in changing opinions:

> Lobbyists are effective only when opinion is not already made up, or when there is a propensity in that direction anyway. I can't think of one instance when an actual switch was brought about by lobbying.

A few others, not so facile with abstractions, confirmed this opinion. One legislator, a farmer himself, told of an attempt made by the Farm Bureau to persuade him to vote against the State Police merger when he himself had been in favor of it:

> This was the bill I was most pressured on. The Farm Bureau tried to change my vote Each county has a Farm Bureau branch, and each branch has a legislative committee of about five people, not themselves legislators. They discuss the issues they think are going to come up and pass resolutions. During the session the local committees meet and talk about bills. The ——————County committee had decided that they were against the merger. After the second reading when they found out that I had voted for the merger they came to me and asked me to change my vote on the third reading. I said I didn't think I would, and I didn't. There was nothing they could do about it.

In another instance a farmer-legislator had been subjected to vigorous argument by the retail grocers, who were working for repeal of laws against the sale of colored oleomargarine: "I guess it will get passed eventually," he said sadly. "More and more seem to be for it; but I couldn't come home and look one of my cows in the eye if I voted for it."

Some of these legislators were anxious to point out that a discussion of interest groups cannot be confined to what is ordinarily termed "lobbying." Said one legislator:

> You can't talk about "Farm Bureau" activity on this bill. Farm support or opposition is not always organized. It's the same with any group. For example when this bill came up, or when any bill comes up, the members of the Agriculture Committee sit around

> for a while in their committee room and discuss the effects of the bill on them as farmers. Sure, they're all farmers and probably all Farm Bureau members. But is this an organized group? Not really. At least not organized in such a way that you can point to direct Farm Bureau influence.

Another legislator talking about the influence of one of the lobbyists who had at one point in his career held state office, had this to say:

> It's not so much a question of cornering this one or that in lobbies, . . . had a room on the second floor of the hotel and so did a number of influential legislators. He'd go out about 10 P.M. and get together with a few of them. He's an old guy, very lively and highly respected. They'd pat the man on the back and invite him in. Then he'd say, "you know, about this bill and that. I think this and that." And he'd be listened to. It's much more this kind of thing than actually speaking in hearings, although he did that too.

These were the legislators, too, who considered various organized groups and their lobbyists to be sources of information not only on the actual content of bills, but on attitudes about the bills. A few first-term members reported that they had consulted with the politically experienced lobbyists to get their opinions on techniques of legislative strategy.

In sharp contrast to those who viewed the interest groups as the instruments for softening conflict, defining alternatives, and conveying information, were the legislators who expressed highly negative opinions about the role of interest groups in the legislative process. Some of these fell into the category of "faction-oriented," but most of them were the "non-generalizers." "Lobbying is immoral, indecent, and unnecessary," was a fairly representative statement among this group. "There were lots of lobbyists around, but they knew it wouldn't do any good to talk to me, and I left them alone too," said another. Running through most of such interviews was a concept of an undefined "they." For the most part, unable to fit into their framework of process the activities of organized groups, these legislators could say only that "they killed it," or "they got it passed," but could not identify who "they" actually were, or how "they" had managed to kill or pass the bill.

V. LEADERSHIP IN THE LEGISLATURE

At the close of the interview each legislator was asked to nominate the members of the legislature whom it would be most valuable for the research team to visit and question. A noticeable pattern was a pronounced regional division of the state. Legislators from the southern part tended to suggest only other legislators from the south, and northern legislators tended to feel that only other legislators from the north were "worth talking to."[7] In addition, a simple count of the number of times any legislator was recommended revealed an informal structure in the legislature. Certain legislators were recommended many times more frequently than others, and their nomination was independent of respondent's factional preference or geographic residence. Without exception, those nominees appearing in the sample interviewed were "policy-oriented" or "program-oriented" in their own interpretation of the session. Parenthetically and understandably, the "non-generalizers" made the fewest nominations, and made them with the greatest reluctance.

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[7] This division was a real surprise. Preliminary talks with knowledgeable people had described the political organization of the Republican party as dividing between east and west, with an alternation in office for the two sides of the mountains.

These nominated legislative leaders, who commanded an important position in the informal structure of the legislature, appeared to have played a significant part in interpreting and reporting events for the others. They seem to have defined for the others both the nature of reality and the alternative means for bringing such reality into better adjustment with the legislator's personal preferences. They did not influence to any noticeable degree the final choice among these alternatives for the other legislators, as evidenced by the roll-call votes on crucial issues, and by the factional allegiances of respondent and nominee.[8]

VI. REVIEWING THE RECORD

The 1951 session afforded the Associated Industries of Vermont some interesting surprises. On the policy issue defined in advance for action, the strategy of inter-group negotiation worked admirably. The advantage of access gained from the 1950 election was put to immediate use. The substance of the bill was satisfactory to the business members. The timing was right in the legislature. The relations with other groups remained cooperative and available for further issues. The tactical moves were made out of the public eye. The requisite appearance of harmony was sustained; there were no complicated reservations, no outcries of frustration, to precipitate a negative vote.

But the case study suggests forcefully that the business group had interests at stake on many fronts, and was far from free to have its own way. Sure of access to the executive and to both houses of the legislature, convinced that the climate of opinion in the election had been sympathetic to its needs and aspirations, careful to avoid the limelight, aware that the label of business was a handicap to a policy proposal, active to form alliances with labor on social insurance and with agriculture on federal control of inflation, the AIV nonetheless ran into heavy weather. Representatives of business had worked closely with the new governor in preparing the budget message. Economy and no new taxes were the keynotes of the executive program. But an absolute freezing of appropriations was not realistic in a year of inflation. The proposed reorganization of agencies became a symbol of factional rivalry. The informal leadership emerging during the session left the AIV with notably diminished access. The timing on the major issue of the new taxes turned out to be all wrong. The AIV had not anticipated the problem, and lacked a policy and a strategic plan. The rotten-borough, rural-dominated legislature, with short tenure, afforded little opportunity for AIV to develop a case for business views of fiscal policy. A final irony of the 1951 episode was the 1952 election, in which Governor Emerson, seeking re-election, was widely criticized for the overwhelming surplus in the state treasury, product of these increased personal and corporate income taxes under the stimulus of the Truman boom.

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[8] Though the data available from the interviews do not bring it into clear focus, there is a further variable related to the informal leadership structure of the legislature. To some members, service in the legislature is a strictly amateur undertaking, pursued for many motives, it is true: out of a sense of civic duty; as an enormously entertaining pastime to relieve the rigor of a northern winter; a varied social occasion; a chance to make business contacts or advance personal status in the home community. To others, it is part of their professional vocation. The professionals may go no further than the legislature, and may not expect to. Or they may be moving rapidly through a series of public offices. They may be freshmen or have many years of experience. In any case, the professional member must bring to his role a different perspective of the process and a different stance in his own activities than does the amateur. Further research is needed to develop the relationships between these roles and the materials analyzed in this case study.

The widely varying conceptions of the legislative process that turned up in the legislative interviews after the session explained much about the cautious approach used by AIV. Kane did not try to be invisible, and there is little to be said for stereotypes of invisible governments and pressure group politics. But, to a political scientist, it is reasonably astonishing to discover how few of the legislators could name the interest groups correctly or associate group executive with group or issue. The amateur legislature, meeting biennially, for nominal compensation, is a remarkably relaxed forum of political behavior. The issues are viewed as postponable. The temperature is kept moderate by this basic technique of resolving conflict. In this case the interest group had to play the game of politics with a legislature that was essentially unorganized until the game was better than half over.

EXTRA-LEGAL POLITICAL PARTIES IN WISCONSIN

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American political parties have long been the victims of a peculiarly ambivalent public attitude—an attitude which on the one hand views them as perverters of the democratic spirit while on the other hand it gives them a vital role in the political process. Much of the regulation imposed on the parties in this spirit of distrust makes it all the more difficult for them to carry out their political role. To operate successfully, they have been forced to adapt their organization and functions to rigorous legal climates.

The vagueness and flexibility of political organization in the states reflect this constant struggle the parties wage to maintain their vitality and integrity against what are frequently severe legal odds. Parties have learned to create informal organs which will be effective and practical. Consequently, the real centers of political power rarely parallel the orderly, pyramided party organzations that the states create. The state or local party leader who holds no formal party office and the extra-legal organization or "machine" are commonplaces in American politics.

This paper will examine the efforts of the two major parties of one state—Wisconsin—to develop organizations flexible enough to permit them to operate effectively as political parties, while exposing themselves to the barest minimum of control. These Wisconsin parties have found their answer in a series of extralegal "voluntary" committees, which today carry on all of the real and important party activities in the state. In their first stages, the voluntary committees were used by dissident groups as tools to win control of the parties and to reorient them ideologically. They later served the parties both as means of establishing more responsible party government in pursuance of that ideology, and as devices for avoiding the demanding regulations Wisconsin imposes on its parties. In fulfilling all of these functions, the voluntary committees provided the parties with a more effective base of operations than the awkward, ill-conceived statutory party structure.

I. STATUTORY AND VOLUNTARY COMMITTEES

The Wisconsin statutes outline a party structure to which parties in Wisconsin are to conform.[1] This "statutory party" organization, growing out of the state's September primary election, is not unusual or atypical. At the primary the voters in every precinct in the state elect a party precinct committeeman for a two-year term. All of the committeemen elected within a city or county meet to form the party's city and county committees.[2] The county committees in turn send representatives to form the state assembly, senatorial, and congressional district committees.

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[1] Wisconsin, *Statutes*, 1953, Ch. 5.35, 5.36.

[2] In the city of Milwaukee the committeemen are elected by wards. The Milwaukee county committee, therefore, consists of the ward committeemen from the city and the precinct committeemen from the other governmental units in the county.

This method of electing committees indirectly, originating with the elected precinct committeeman, stops just beneath the peak of the party hierarchy. At the peak, the party's state central committee is chosen by a statutory convention composed of all party candidates for state executive and legislative offices nominated at the primary.[3] The convention meets in early October, three weeks after the September primary, and writes a platform for the party in addition to choosing the state committee. This state central committee of each party, consisting of at least two members from each congressional district, chooses its own chairman, who need not be an elected committee member.

This, then, is the statutory party organization that was designed to replace the party organization which had grown from the earlier network of party caucuses and conventions in pre-primary days. When the Progressives abolished the caucuses and conventions in order to give the power of nomination to the voters in 1903, there remained no means through which the parties could write a platform or choose officers. The statutory party organizations chosen at the primary and the new state convention of nominees were intended to fill the gap.

The effective Republican and Democratic party organizations today, however, do not operate through these statutory party committees. Both parties have set up "voluntary committee" organizations that carry on the real functions of a party: raising funds, campaigning, and seeking office. Though popularly known as the "Republican voluntary committee," the Republican organization, founded in 1925, bears the official title of The Republican Party of Wisconsin. The Democratic Party of Wisconsin, the Democratic voluntary vehicle, was established in 1948 as the Democratic Organizing Committee; it changed its name in 1953. Alongside of these organizations within each party, the statutory organizations exist only as shell organizations, performing their statutory duties at the beck and call of the respective voluntary organizations.

The term "voluntary committee" in its most precise usage is a generic term employed to describe the type of non-party groups that spring up temporarily as *ad hoc* organizations to support a single candidate or issue. As such, their temporary nature is betrayed by names such as "The Smithens for Senator Club," or "The Labor Committee for Justice in Taxation." But more commonly in Wisconsin politics the term is now used to describe the hierarchy of voluntary committees through which each party operates.

In either sense, however, the voluntary committees in Wisconsin derive their legal justification from the same source. Some years before the growth of the voluntary committees into full-fledged party organizations, the Wisconsin legislature attempted to forbid them to make political expenditures except in extremely limited circumstances. The state Supreme Court declared the law unconstitutional as infringing the right of citizens to work outside of the established party apparatus for a political cause or candidate.[4] Ever since then this early precedent has justified the right of the voluntary committees to exist and function, even though the voluntary committees have since developed into complete party organizations.

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[3] Included in the statutory convention also are the hold-over state senators whose terms have not yet expired.

In structure the two voluntary committee organizations—the Republican Party of Wisconsin (RPW) and the Democratic Party of Wisconsin (DPW)—are similar. The basic unit in both organizations is the county committee, composed in each case of those partisans who merely choose to affiliate themselves. The founders of the DPW (then the Democratic Organizing Committee) envisioned a mass-membership organization in which the members in each county would meet regularly to conduct party affairs and debate political issues, but in practice the DPW county units have not become thriving, year-around organizations. With a few notable exceptions, the average county unit meets only three to five times a year, although activity is much greater at campaign times than in the political "off-season." Party officers carry on party business in the periods between meetings. The Republican county voluntary organizations generally meet only once in the year to elect officers and to select delegates to the state convention; party affairs are usually vested in a county executive committee.[5]

Both party voluntary groups specify that the delegates to the state voluntary convention from the counties within each congressional district are to meet biennially to elect a congressional district chairman. The Republicans, in addition, elect a district chairwoman. But active district-wide organization is virtually non-existent; the county is still the basic unit of party activity. Aside from their duties on the state voluntary committees, the district chairmen of both parties perform only incidental duties. Provisions in the RPW constitution for a congressional committee and in the DPW constitution for a district caucus of county chairmen have failed to stimulate viable party organization at the district level.

The district chairmen in both parties (and the chairwomen in the RPW) form the nucleus of the highest regular party organs, the RPW executive committee and the DPW administrative committee. In addition, the state officers, representatives of the youth and women's organizations, plus other party leaders, sit on these state committees. In addition to its 22 voting members, the DPW has added to the administrative committee six non-voting members, including three of the party's state legislators.[6]

The state-wide voluntary committee organizations of each party are in effect *the* party. Both at the county and at the state levels, the statutory party apparatus has been bypassed and lies in various states of inactivity that will be discussed later. Both national party committees recognize and deal with the respective voluntary organizations in the state. Finally, each of the organizations vests final party authority in its annual convention. Only the conventions may amend the voluntary committee constitutions. Delegates to both conventions are sent by the county units, the Republicans employing a formula weighting representation by party vote in a county and the Democrats using one considering both Democratic vote and party membership in a county. Both voluntary conventions, which meet in June or July, write platforms, pass resolutions, and hear the usual abundance of speeches.[7]

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[4] *State* v. *Pierce*, 163 Wis. 615 (1916). See also *State* ex rel. *La Follette* v. *Kohler*, 200 Wis. 518 (1929).

[5] The Milwaukee county units within both voluntary organizations are composed of delegates from the active ward groups, most of which also hold periodic meetings.

[6] The constitution of the RPW also provides for a "state Republican committee" composed of the party officers, the national committeeman and committeewoman, the district representatives, and at least five members from each county. To the best of the author's knowledge, this elaborate committee has never met.

II. THE RISE AND PERSISTENCE OF THE VOLUNTARY COMMITTEES

The voluntary committees originated as attempts by intraparty dissenters to take over the party label and machinery. In both cases, the challengers for party control could not win their fight within the statutory organizations in use at the time. There was no place for them in the statutory committees, chosen as they were at the primary. One could no longer simply "join" the party organization; one had to be elected. The job of capturing the party organization—much easier when party committees were chosen at caucuses—had become vastly more difficult now that party committeemen were elected. Thus, with the statutory organization so resistant to change, the dissenters chose to commence an assault through special voluntary committees of like-minded rebels.

The Republican party throughout the 1920's had been controlled by the LaFollette Progressives; the Progressives did not, in fact, form their own Progressive party in Wisconsin until 1934. In 1925 a group of conservative Republican businessmen, who had campaigned for the Coolidge-Dawes ticket a year before, set up the Republican Party of Wisconsin. Particularly outraged by the official Wisconsin Republican support for LaFollette's presidential candidacy in 1924, these men declared war on the LaFollette wing of the party by endorsing their own candidates for the Republican primary. Their chief aim was to realign Wisconsin Republicanism with the national party—to pledge it to the same business-oriented philosophy that dominated the national party.

The RPW floundered and failed at first but succeeded in 1928 in winning the gubernatorial nomination for Walter Kohler, Sr. Again in 1932, with the revived Democratic party drawing Progressive votes out of the Republican primary, Kohler beat Phil LaFollette for the Republican nomination. In 1934, their power to nominate Progressives on the Republican ticket lost, the Progressives withdrew to form their own party, leaving the conservatives in control of the Republican party.

Likewise in 1948 the DPW (then the Democratic Organizing Committee) began as a revolt against the entrenched Democratic party leadership in the state. Throughout the 1930's and 1940's the Democratic party had been languishing in the hands of a group of conservatives, many of whom were openly hostile to the New Deal and the national party leadership. They had kept the party in a state of controlled dormancy from 1932 on while they siphoned off the national party patronage. The founders of the DPW, largely an intellectual-labor coalition, were young men aggressively loyal to the principles of the New and Fair Deals. Profiting by the example of Republican success with a voluntary organization, the "Young Turks" contested and won the 1948 Democratic primaries. They have gradually assumed control of the statutory party machinery as their hold on the primary has continued, but some few county statutory organizations are still in the hands of the "old-line" Democrats.

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[7] In the odd-numbered years the DPW convention meets in autumn.

In each party, then, the rebels within the party, realizing they could never win control of the statutory party machinery until they won control of the primary nominations, created the voluntary committee as an action group to win the nominations. Whereas in pre-primary days control of the party could change hands at a convention, control of the statutory organization could only grow out of success at the primary in electing committeemen and nominees to sit in the statutory convention. But once these two voluntary committees had won control of their respective parties, they made no move to return to the statutory party organs. Their reasons provide an eloquent commentary on the statutory regulation of political parties.

In the first place, the Republicans seized on the voluntary organization as a means for making pre-primary endorsements of Republican candidates. The statutory organization, since it grew out of the primary election and was not formed until some weeks after the primary, was unavailable for party activity during the primary campaign. Republicans had long felt that, with the Wisconsin primary an open primary and an important one,[8] the party had to regain a role in the nominating process. After a vacillating history of endorsing and not endorsing from 1925 through 1948, the RPW amended its constitution in 1949 to make endorsements mandatory for the five state offices and the seats in the United States Senate. The voluntary organization's state convention makes the endorsements and promises its endorsees the pre-primary support of the party and its considerable resources. On the other hand, the founders of the DPW wrote into their constitution a prohibition of endorsement for any office, and a segment of DPW members has been shrill in its criticism of Republican endorsement as violating the letter and the spirit of the primary law.[9]

The value of the endorsement process to the RPW is difficult to assess. In the period 1925 to 1934 the RPW shared the Republican party with the Progressives, and in that period the RPW endorsees won the Republican nomination only six out of 23 times. With the Republican party label to themselves from 1934 to 1952, however, the Republican endorsement average jumped to 88 per cent (30 out of 34). Endorsement has also been potent in reducing the number of candidacies for each office. In the non-endorsement years from 1934 to 1952 (1938, 1940, 1944, and 1948) the number of Republican candidates per statewide office averaged 3.3. But in the endorsement years of the same period, the number of candidates per office was reduced to 1.7. In those instances when no incumbent was running in the Republican primary in the same period, the average number of candidates per office in non-endorsement years was 4.3, while in endorsement years it was 1.4. Endorsement, then, more than accomplishes its purpose if it discourages competing candidates and completely averts a primary fight. Endorsement has, however, failed to unseat incumbents. The party has been reluctant to try to purge incumbents, and its few attempts have been spectacular failures.

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[8] The Republican primary is especially important since most of the Wisconsin political battles are settled there. Only in 1932 did the Democrats elect a governor in this century, and the state legislature is three-quarters Republican.

[9] While the DPW formally eschews endorsement, an informal consensus among party leaders ("general agreement") often achieves a similar result, but the party, as a party, does not enter the campaign.

At the congressional district level, endorsements have been only infrequently used, and then only to defeat former Progressives trying to reenter the Republican party after the dissolution of the Progressive party in 1946. At the district level, and more especially in the counties, there is strong feeling among Republicans against endorsement. Many partisans fear that endorsements cause personal offense at the local level and violate the spirit of the primary. Furthermore, these local units hold no general caucuses in summer at which endorsements might be made. As a result, endorsement of candidates for local or legislative offices is almost unknown at the county level.

The second broad reason for the continuation of the voluntary organization in both parties can be found in the statutory organization itself. Its many rigidities and restrictions make it an awkward, if not useless, instrument for political action in mid-twentieth century. The county statutory units and the state central committee are entrenched for a two-year period, with no possibility of removal by the party. A modern political campaign is also severely handicapped when the party chairman and the state central committee are not selected until one month before the general election. While year-around political organization may not have been vital to the parties at the turn of the century, it has become so since then. Furthermore, loyal party workers are given little role in choosing the party committees; the primary voters elect the county committees and the party's nominees select the state central committee.[10] Then again, the statutory organization recognizes only one man in each precinct and thereby closes the door on a broadly-based membership organization.

Thirdly, and finally, the persistence of the voluntary organizations can be attributed to their effectiveness in circumventing the Wisconsin statutory limitations on campaign expenditures. The state's corrupt practices legislation, written in 1911, severely limits the expenditures made by political candidates.[11] The statutory committees are granted no independent spending power, with the exception of the $10,000 the state central committee is permitted to spend. Statutory committees may spend only on authorization of a candidate, and

[10] This problem is heightened, as are so many problems of the Wisconsin parties, by the fact that Wisconsin has an open primary. Party leadership is therefore elected at a primary where there is no test of party membership.

[11] The limits range all the way from the $10,000 permitted the candidate for the United States Senate and state executive office to the $400 allowed the candidate for the state assembly. In addition, since 1951 each candidate is allowed to purchase one-fourth page of advertising in newspapers having a circulation within the district he seeks to represent and to mail one communication to each voter in the constituency. Wisconsin, *Statutes*, 1953, Ch. 12.20.

these authorized expenditures are then charged against the expenditure quota allowed the candidate. The voluntary committees, however, are required only to register with the secretary of state and file periodic statements of receipts and expenditures,[12] since the original attempt to regulate their expenditures was ruled unconstitutional.[13] There is no limit to the total they may spend.

This legislation assumes that the voluntary committees are operating apart from and without the knowledge of the candidates and their personal committees. Since the voluntary committees are completely independent of the candidates, so theory has it, their expenditures cannot be included with the candidates' expense totals. The Wisconsin Supreme Court formalized this assumption in 1929 by ruling that a voluntary committee expenditure could be charged against a candidate's total only if the committee "acts for him in the sense that an agent acts for and on behalf of his principal. The authority may be expressed or implied but it must exist. Otherwise the disbursement is not made on behalf of the person sought to be charged."[14] This construction, dating from the period when voluntary committees were still only small, *ad hoc* political groups, has been applied in its entirety to the voluntary committees of today, even though they have become state-wide political parties.

The legal assumption that the candidate is not aware of the activities of a voluntary committee, and cannot be held accountable for them, has frequently been challenged. And indeed, the point of agency is especially strained in those cases where the chairmen of county voluntary organizations are also themselves candidates or office-holders. The assumption then must be that Assemblyman X is unaware of what his county voluntary committee is doing on his behalf in the campaign, when he is in fact the chairman of the county organization.

The voluntary committees have, therefore, succeeded as vehicles enabling the parties to skirt the perils of the open primary, the statutory party organization, and the political expenditures legislation. So successful, indeed, have they been that the Republicans, in control of the state legislature since 1939, have abandoned all attempts to alter the irksome legislation and turn back to the statutory system. As a matter of fact, there is no reason to suspect that the laws could be easily amended, even if the party were so inclined. The traditional LaFollette opposition to strong parties and strong party leadership ("bossism") has not lost its power in Wisconsin. The Republicans fear that any attempt to soften legal control of the parties would rouse the guardians of the LaFollette tradition and give the Democrats a powerful campaign issue. They have not yet forgotten their one recent experience in tampering with the primary law—the unsuccessful and embarrassing attempt in 1946 to keep former Progressives from running as Republicans.[15]

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[12] The corrupt practices legislation is found in Wisconsin, *Statutes*, 1953, Ch. 12.

[13] *State* v. *Pierce*, 163 Wis. 615 (1916).

[14] *State* ex. rel. *LaFollette* v. *Kohler*, 200 Wis. 518 (1929), pp. 563–64.

[15] The bill, tabbed the "fence bill" by its opponents, was vetoed with a stinging message by Governor Walter Goodland. The governor, already a popular political figure, was widely praised in the press for the veto. The Republican majority in the legislature could not muster enough votes to override the veto.

A more important consideration, however, is that the Republicans do not want change. Republican leaders are delighted with the voluntary organization and regard it as a "brilliant idea." Through it the parties have found a *modus vivendi,* and party leaders hesitate to disturb the balance so achieved. For even if—by some stroke of a legislative wand—the statutory organization could be made as commodious as possible, some element of legal control would remain. The beauty of the voluntary committee arrangement is that, with the exception of the need to make financial reports, it is completely extra-legal.

III. THE DECLINE OF THE STATUTORY ORGANIZATION

Accompanying the rise of the voluntary organizations as the effective party organs has been a corresponding decline in the operations of the statutory organizations. Because the Wisconsin statutes allot certain specific duties to the statutory party units, however, the voluntary committees have been forced to activate and control the statutory committees.

To the county statutory committees falls the legal duty of recommending to the local mayor, village president, or town chairman candidates for the paid poll worker jobs. Aside from this voice in filling these local patronage jobs, the county committees participate in the selection of party poll challengers and county canvassers.[16] The statutes also give the state central committee two special duties: the choosing of presidential electors and the selecting of alternates for the delegates to the national party convention.[17] Finally, all statutory committees possess the power to fill any vacancies on the party ticket that occur between the primary and the general election in their respective jurisdictions.[18]

The voluntary committee organizations of both parties within recent years have taken the initiative in reviving dormant or defunct county statutory committees. Their procedure simply requires loyal voluntary committee workers to file nomination papers as candidates for the precinct posts. Quite frequently their election is not contested, and even if the voluntary committee member fails to file papers, a write-in campaign to deliver a handful of votes is usually sufficient to elect. After the primary the precinct committeemen elected meet to choose a chairman, who often is an officer in the voluntary organization. The committee may then appoint precinct committeemen to fill the vacancies in those precincts where no committeeman was elected.[19] In this way the county voluntary committee assures its control of the statutory committee's appointments to fill poll jobs and postprimary vacancies on the ticket.

The plan, however, has worked less smoothly in operation than in theory. Many county organizations in both parties have failed to resuscitate the statutory committees; in the press of regular party campaign activities the project was shunted into the background. Furthermore, an attempt to "annex" the statutory committee may meet the opposition of the incumbent precinct committeemen, to whom the position is important for its little prestige and power in dispensing poll patronage. The problem is particularly acute within the Democratic party. The DPW, only six years old, still faces in some counties the opposition of the old-time Democrats who have clung to the statutory committees as a final stronghold. In at least one county the local Democratic statutory committee has won the contest for power from the county DPW unit, has dominated the DPW, and has functioned as the Democratic party in the county.

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[16] Wisconsin, *Statutes,* 1953, Ch. 6.32, 6.31, and 6.61.

[17] *Ibid.,* Ch. 5.36 (1) and 5.37 (5).

[18] *Ibid.,* Ch. 5.18.

[19] Traditional as it is, such action has no legal authorization. The attorney general in 1934 expressed an opinion that the committee could fill only those positions where originally a committeeman had been elected. *Opinions,* Vol. 23 (1934), pp. 709–11.

The effectiveness of these attempts to activate the county statutory committees has been less than overwhelming. In 1948 only 55 per cent of the Republican and 27 per cent of the Democratic precinct positions were filled at the primary. The totals for 1952 are similar—62 per cent for the Republicans and 25 per cent for the Democrats.[20] In some of the counties where voluntary committee members represent a majority on the statutory committee, they have made no attempt to fill vacancies. Generally, the statutory committees are in voluntary committee hands within both parties, but there are a few counties where the voluntary and statutory committees within a party are at war. Small jealousies or ambitions may thereby split the party within a county.

In an attempt to coordinate this dual organization, the RPW constitution provides that the county statutory chairman be given an *ex officio* vice-chairmanship in each Republican county voluntary organization. But coordination through overlapping officeholding goes further in practice, within both Republican and Democratic ranks. In some of the counties where the Republican statutory committee is completely organized, the voluntary committee has used it as a block and precinct arm of the voluntary committee for canvassing, distributing literature, circulating nomination papers, and turning out the vote.

One index of the fate of the county statutory committees is the growing frequency with which the county voluntary committees are assuming their statutory duties. In several instances chairmen of RPW and DPW county units report that they, rather than the statutory chairmen, have made recommendations for the selection of poll workers. In one county several years ago the RPW unit named a replacement to fill a post-primary vacancy on the party ticket. County voluntary chairmen have also filled vacancies on the statutory committees. In other instances, statutory committees are merely polled by phone to ratify voluntary committee decisions on poll workers or vacancies.

As for the maze of assembly, state senatorial, and congressional district committees outlined in the primary law, none exist at present, and it is improbable that they ever did exist. Wisconsin party leaders, at least, claim no knowledge or memory of them. In the case of a post-primary death of a candidate, the county statutory committees in the district would have to be alerted to send delegates to form the appropriate committee within a few days. The RPW, faced a few years ago with the death of a legislative candidate after the primary, had to do exactly that.

The state central committees of both parties are organized but inactive. Neither party's voluntary organization makes any concerted effort to influence the statutory convention's selection of a state central committee—doubtless a reflection of their confidence in the friendliness of the nominees that make up the conventions. The two central committees thus chosen meet only to carry out their duties, aided by the audible promptings of the voluntary committees. Some members of the two central committees regard their duties seriously, but most of them accept the position lightly and consider that their chief duty is to keep the committee inactive.

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[20] John Wyngaard, *Green Bay Press-Gazette*, Jan. 29, 1949, is the source for the 1948 figures; the 1952 totals are official party estimates.

So completely have the voluntary committees pushed the state central committees out of any active role in party affairs that neither committee received or spent a cent in the 1952 elections. In fact, from 1948 through 1952 the Democratic state central committee made expenditures only in 1950, and then the $2,900 disbursed went for voluntary committee activities. The Republican state central committee has reported no receipts or expenditures since 1946.[21]

Just as both voluntary organizations occasionally face a tiff with an obstreperous county statutory committee, they are also periodically troubled by unexpected independence on the part of the state central committee. In mid-1952 the Republican state central committee rejected by only one vote a proposal to use its discretion in appointing alternates for the delegates to the national convention, instead of ratifying the choices of the RPW and the delegates themselves. The threat became a deed within the Democratic party, however. The party's state central committee refused in 1952 to choose all alternates from the DPW lists, choosing instead one old-line Democrat known to be vocally hostile to the DPW.

These periodic minor revolts indicate the danger the parties face in maintaining the present dual organization. Perfect coordination and harmony are impossible, leaving the statutory organs as inviting positions to which the discontented or ambitious can retreat to harass and embarrass the voluntary committees.

IV. THE SEARCH FOR PARTY RESPONSIBILITY

At the time of their founding both voluntary committees represented efforts to reorient the parties ideologically, and as they remained in existence they became devices for insuring party responsibility to these ideologies. The "responsibility" they sought was responsibility defined in terms of stating ideological principles clearly and unequivocally, working for the election of men loyal to the stated principles, and assuring that their elected members would carry the principles into public policy. As small, homogeneous groups, both of the voluntary committees enjoyed at their founding a high level of agreement on aims and policies, and by maintaining these homogeneous voluntary committees they hoped to achieve a greater party responsibility. As political organizations the voluntary committees offered greater potentialities than the statutory organizations for developing the discipline, control, and consensus essential to party responsibility.

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[21] These figures on receipts and expenditures are taken from the reports filed with the secretary of state.

The Republicans of the RPW, the majority party in Wisconsin since 1938, are, however, less able today to speak their principles in a single, clear voice than they were in 1925. Since the cohesion of the RPW rests on agreement on social and economic individualism, it has been unable to gain agreement on such additional issues as prohibition, foreign policy, and legislative reapportionment. Opportunities for political success also induced the party to temper party stands for wider vote appeal. Republican leaders and candidates differed, too; the party nominees often framed a statutory platform at odds with the voluntary committee platform.

At the next step, that of selecting candidates, the Republicans have used the pre-primary endorsement. Many party leaders view endorsement as the party's great weapon in the fight for responsibility. They see it as a process wherein the party faithful can come together to select future officials loyal to the party creed and to weigh the stewardship of incumbents before according them another endorsement. And once it has placed loyal party followers in office, the party can be confident that the office-holders will be guided by party policy. The value of such a theory, they emphasize, is that in placing loyal men in office, it frees the party of the necessity to supervise their performance while in office.

But in reality endorsement is inoperative at the county level where state legislators are chosen. Some informal endorsement is the rule at the local level, however, and it has some effect without formally committing the party and its resources. At the state-wide level, endorsement has succeeded in averting primary races by discouraging other candidates. It has been a poor weapon with which to purge incumbents, because of the reluctance of party conventions to deny them endorsement, and because of the vote-getting power of a known political name. But even though it may fail to unseat a maverick office-holder, endorsement may achieve some sanction merely as a threat. No candidate, incumbent or not, is eager to fight the fully-marshalled resources of organized Wisconsin Republicanism.

Once the Republican candidates are elected and in office, the party still finds it difficult to insure that the officers will carry party principles into public policy. The relationship between the Wisconsin governors and the RPW has in the past often been cool, if not openly hostile. The governors, men of independent means, have not had to rely on the party for campaign aid and have traditionally tried to make a wider appeal than the party. Their independent appointments and legislative programs have frequently angered party officials. Nor has the party any sanctions at its disposal in its dealings with the state legislators. The party has virtually no state patronage to dispense, and party campaign help is not so great that the legislators cannot get along without it. And since the county organizations are in effect campaign committees and do not operate effectively throughout the year, the party cannot expect them to maintain any contact with their legislators.

In the five years it has controlled the Democratic party, the DPW has failed to achieve state-wide victory.[22] The voluntary organization has remained the same homogeneous group that founded it, and is able, therefore, to enunciate a relatively clear and unequivocal program. It has likewise often been able to reach an informal agreement on candidates, despite its rejection of formal pre-primary endorsements. Such informal endorsements involve the support of individuals and leaders within the party, rather than the endorsement of the party itself. The DPW has, in short, remained an ideologically oriented party, more reluctant than the RPW to begin the pragmatic compromising for victory, so long a part of the American political tradition.

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[22] In 1948, however, a Democrat was elected attorney general.

Thus far, Wisconsin experience with party responsibility is thoroughly within the pattern described throughout the literature on political parties. The parties seem unable to state a consistent party creed and enact a consistent program of legislation, and the classic reasons for party weakness—the need for compromise and decentralization—offer the explanation. And in Wisconsin the problem of party discipline is compounded by the lingering LaFollette tradition of suspicion of strong parties and strong party leadership. Pre-primary endorsements and party discipline in the legislature evoke for many the hated symbol of smoke-filled rooms and "bossism" triumphant.

Rising above all of the decentralizing forces in both voluntary committees is a great unifier—the common ideology. Party leaders in both parties share a common ideological allegiance that makes of them a homogeneous leadership group within each party. And it is this unity that the voluntary committees provide so much better than the statutory organization could. Motivated by a loyalty to principles, the party leaders are commonly serving without anticipation of personal gain from patronage or election to office. The common ideology, therefore, provides a common goal, binds the various levels of the party together, and makes for a certain degree of centralization. To the extent that this unified party outlook fosters like-thinking party candidates, the ideology works toward a party responsibility. And the loyalty that springs from this affinity of principle needs no constant prompting or cultivation for its effectiveness.

Wisconsin experience, therefore, indicates that strong ideological orientation has its place within the pragmatic American parties. By serving as an internal, intra-party cohesive force, binding and integrating the various levels and representatives of the party, it offsets the factors at work dividing the parties. It succeeds in giving them an internal discipline and unity they might not otherwise have, and which the parties would find difficult to cultivate in the statutory organization. Two further observations must, however, be made. Since the ideologies to which party workers are loyal are defined largely in terms of national politics, the ideological bond has a paramount disadvantage in distracting the attention of the Wisconsin parties from state issues and government. One cannot escape the conclusion that many leaders of both parties look on the Wisconsin parties primarily as instruments for winning national elections. Secondly, such an internal ideological bond may be easier to achieve in the small area of a single state than in the entire country.

To be sure, the aims of such a homogeneous, ideological party leadership conflict (especially within the RPW) with the pragmatic needs of the party to build majority support through compromise. But many of these men have learned that compromise is vital to victory, and that as far as victory is concerned, half a loaf is better than none. Many Republicans oppose a sales tax, for instance, not for its economic effect, which they might welcome ideologically, but for its political effect, which might cost the party political power. So, within the framework of their ideology, these men have learned to be political realists. They are uneasy pragmatists, and their dogmatism occasionally flashes to the surface, but their political success attests to their political skill.

V. CONCLUSION

The statutory party apparatus created and controlled by Wisconsin laws is at best an awkward, inflexible vehicle for party operation. It resists change in party leadership and orientation; it is an ineffective organization for political campaigning and expenditures; and it is ill-suited to the development of a unified and responsible party nucleus. In their struggle to operate successfully, the Wisconsin parties have thrown this statutory organization aside and perfected a voluntary organization that better fills their needs. Through the voluntary committees they have fostered an internal homogeneity and consensus which has contributed to a greater degree of party responsibility and has avoided the regulations and rigidities of the statutory machinery.

In their attempts to regulate the organization and activities of political parties, the states have grossly underestimated the parties' capacity for adjustment to new conditions. Their legislation has been based on the false view of parties as formal, pyramided organizations, with clear lines of authority and responsibility. But with an almost chameleon-like ability, parties adapt themselves to new external regulation or internal pressure. The real, working organization—rarely coincidental with the formal one—builds up in response to and approximates the power structure of the moment. Unofficial "bosses" and leaders, private organizations, and truncated lines of authority all bespeak this adaptability of American parties. It is through this flexibility that the parties elude so much of the regulation imposed upon them.

It is interesting to note that in their response to these problems the Wisconsin parties have effected an organization very similar to that which existed in the state before the primary law. It was an organization that grew out of caucuses and conventions, in which the party could choose its own personnel and nominees, and in which the party was subject to the minimum of control. The parties often indulged in undesirable practices then, but they did operate freely, effectively, and with considerable strength. Under the primary law and the statutory party structure growing out of it, the parties have developed the voluntary committees to recapture this type of party organization. The parties in Wisconsin cannot operate satisfactorily within the statutory apparatus, the primary law, and the expenditures limitations as they exist today. Necessity dictates that much. And yet they cannot make the statutes more hospitable or abolish the statutory organization. Political mythology rules out these alternatives. In response to this dilemma, the Wisconsin parties have maintained a dual structure to satisfy the conflicting aims of party strength and party control. The statutory organization honors tradition, and the voluntary organization serves necessity.

THE POLITICS OF COLLECTIVE BARGAINING: THE POSTWAR RECORD IN STEEL

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The postwar record of collective bargaining in the steel industry is both important and unique. It is important because steel is a traditional "pattern-setter" for large segments of American industry. The key bargains which are negotiated in this industry establish the benchmarks for the negotiations among thousands of employers and their unions, and the relationships between "Big Steel" and the United Steelworkers of America have a profound influence on the whole industrial relations climate of America. Everyone is concerned with the outcome of steel's bargains—unions, employees, companies, the public, and particularly the government.

The record is unique by virtue of the extent of government involvement in collective bargaining matters in this industry. Since the end of the war, there have been three nation-wide steel strikes. The first, in 1946, lasted about three weeks; the second, in 1949, went on for over a month; and the third, in 1952, kept the industry at a standstill for fifty-five days. In all three cases the government was a principal party in the dispute. In other industries bargaining is normally a bipartite process of accommodation between unions and employers; in steel, in critical periods there has been a tripartite process of negotiation among the Steelworkers' Union, the big steel corporations, and the government.

What then are the forces which have shaped this peculiar kind of collective relations in the steel industry? Is the tripartite kind of negotiation inevitable in steel or can it be looked upon simply as a temporary stage in the development of the relationships in that industry? These are the questions which we shall attempt to answer in this article.

The main collective bargaining issues in steel were in general the same as those in other mass production industries: wages, pensions and insurances, production standards, job evaluation and incentives, and related matters. Moreover, the disposition of most of these issues has been roughly the same in steel as in other industries. In this respect there is nothing unusual about steel's postwar bargaining history. In our judgment, the explanation for the strikes in 1946, 1949, and 1952 lies in the role of the government rather than in any "abnormal" characteristics of the leaders of the companies and the Union or in any particularly thorny collective bargaining issues. Our central thesis rests on the following generalizations:

First, in all three cases the government took the position that an industry-wide strike would immediately endanger the national health, safety, or interest. In each case the White House intervened to prevent a shutdown, and in each case it delayed a strike, but failed to prevent it.

Second, in all three controversies, the Union for practical purposes became dependent upon some sort of support from the White House to achieve its bargaining objectives. During this period, the Union was aligned politically with the Democratic Administration. The steel corporations throughout this period were aligned with those forces that vigorously opposed the economic and labor policies of the White House.

Third, as a consequence, the critical questions in all three controversies were more related to matters of public policy on key issues than to immediate issues of wages and conditions of employment of steel workers.

We shall proceed to support these generalizations by a brief examination of the record of bargaining in steel from 1945 through 1952.

I. THE STEEL CRISIS OF 1945–46

The first round of bargaining in late 1945 and early 1946 was carried on within the context of postwar wage and price controls. At this time the Administration was attempting to follow a policy of "flexible" wage controls while holding the line on prices. Specifically, the policy was to permit wage increases if they could be granted without necessitating increases in ceiling product prices.[1] In October, 1945 the Union asked the companies for a 25 cent per hour general wage increase. This the companies rejected on the grounds that the government's ceiling prices on steel products did not enable the industry to grant such an increase. The Union then proceeded with plans to call a strike. The companies maintained that collective bargaining was futile unless "substantial price increases," approximately $7 per ton for carbon steel, were allowed. The President delayed the strike by appointing a public fact-finding board on December 31 which reported shortly that the issues had been narrowed to a 15 cent offer by the company and a 19½ cent floor by the unions. In an effort to break the deadlock, the President recommended an 18½ cent wage increase. The companies rejected the recommendation, and the industry-wide strike commenced on January 21. On February 15, the companies agreed to the 18½ cent wage increase following an executive order by the President granting the industry a $5 per ton increase in carbon steel prices.

[1] The new policy on wage and price controls was set forth in the President's statement of August 16, 1945 and in Executive Order No. 9599, dated August 16, 1945. The President's statement read in part as follows: "The stabilization act is effective until June 30, 1946. During its continuance wage adjustments which might affect prices must continue to be subject to stabilization controls. With the ending of war production, however, there is no longer any threat of an inflationary bidding up of wage rates by competition in a short labor market. I am therefore authorizing the War Labor Board to release proposed voluntary wage increases from the necessity of approval upon condition that they will not be used in whole or in part as the basis for seeking an increase in price ceilings. Proposed wage increases requiring price relief must continue to be passed upon by the Board." Executive Order No. 9599 specified the guiding principles to be followed by the stabilization agencies in administering this policy. See Report of the National Wage Stabilization Board (Washington, D.C., 1947), p. 25.

The really critical question here was the government's wage absorption policy in price control. Throughout the war, the Administration had been fairly successful in maintaining this position as far as steel was concerned. In 1941, after the Union had negotiated a 10 cent per hour raise, the government promptly froze steel prices to prevent the companies from passing on the raise in price increases.[2] Although the industry did not protest at first, it soon established a committee to press for price increases in some areas, and the pressure for price relief steadily increased throughout the war, reaching a climax in 1945.

In the so-called "little steel case" of 1942, the government allowed a 5½ cent general wage increase without granting any price increases. Again in 1944 fringe benefits were allowed without any change in prices, despite mounting pressure from the industry. In January and again in May of 1945 some increases in steel prices were permitted which were looked upon by the industry as "too little and too late." The Chairman of the Board of U. S. Steel stated that "the price increases authorized by the OPA in May represented an overall increase in the average price of carbon steel products of $1.50 per ton . . . while costs have increased at least $8.00 per ton since the price was frozen some months before the war."[3]

Thus, after V-J Day, the industry was determined to have the lid taken off steel prices. The Union was equally determined to get a wage raise to offset the expected drop in steelworkers' earnings which would result from cut-backs in working hours and overtime. The Administration stood for wage increases with no retreat from established price ceilings. In the face of the Union's demands, the OPA announced in November, 1945 that there was no cause for a general increase in steel prices at that time.[4]

Obviously, it was impossible for the Union and the companies to bargain among themselves in this kind of situation. In order to achieve its wage objectives, the Union needed both an authorization and a recommendation from the government. In effect, it bargained successfully with the White House for an acceptable recommendation, but when this was rejected by the industry, it had no other recourse than to proceed with the strike. The White House was then faced with a difficult choice: it could ask the Union to take less than its own recommendation, attempt to force the industry to accept the 18½ cent package, or repudiate its wage absorption policy in price stabilization. As the pressure mounted, this last procedure proved to be the only expedient means of resolving the crisis.

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[2] "In these circumstances, Leon Henderson, then director of the Office of Price Stabilization, came to the firm conclusion that the 1941 wage increases, as a matter of public policy, should not be passed along into higher steel prices. Furthermore, he concluded that the best way to avert the danger and to insure some stability of steel prices in the immediate future was to issue an order which would provide a clean-cut freeze on steel prices on the then existing level." Addison T. Cutler, "Price Control in Steel," in *Studies in Industrial Price Control*, Historical Reports on War Administration, General Publication No. 6 (Washington, D.C., 1947).

[3] *New York Times*, August 1, 1945.

[4] "The [OPA] Administrator remained firm in his conviction that this was not the time to raise steel prices. It had, however, become necessary to take a public position on the matter. Accordingly, a short, but significant press release was issued on November 23, quoting Price Administrator Bowles to the effect that OPA finds 'no cause at this time for a general increase in steel prices' but promising that the situation would be reviewed promptly and carefully when the next financial returns of the steel companies were submitted after January 1, 1946." Cutler, *op. cit.*, p. 65.

In retrospect, the forces leading to the 1946 crisis seem quite clear. The Union, after nearly five years of wage regulation during the war, was pressing for substantial wage increases with the moral support of the White House.[5] The companies were seeking price relief through either the elimination or relaxation of controls but faced opposition from the Administration. The issue was forced by an industry-wide steel strike which was presumed to impair seriously the national health, safety, and welfare. In order to settle the strike, which it had diligently but unsuccessfully sought to prevent, the Administration found it necessary to repudiate its postwar stabilization policy. This marked the beginning of the end of wage and price controls.[6]

The steel dispute of 1946 served the political function of shifting the Administration's wage-price policy. What in this case was not accomplished through the normal administrative or political decision-making processes, was brought about by pressure generated both by the Union and the industry and directed at the White House itself. What neither Congress nor the Administration was able to decide without these pressures, the picket line and the threat of a steel shortage did—and the nation's postwar stabilization policies were thereby punctured.

II. THE STEEL STRIKE OF 1949

In 1947 the Union negotiated a new agreement with the steel corporations which included a 15 cent "wage package," continuance of the maintenance-of-membership clause, and other rather important contract terms. By this time all wage and price controls had been officially terminated. Prices and the cost of living were rising. According to their well-established custom, the steel companies raised product prices immediately following the wage settlement. This action brought forth criticism and investigations from Administration spokesmen and even from some Republicans, but, of course, the Administration could do nothing about it since there were no legal grounds for intervention.

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[5] Actually, there was more than moral support of the White House, since the Administration's wage policy clearly favored wage gains. In a statement on October 30, 1945, the President said: "While the position of different industries varies greatly, there is room in the existing price structure for business as a whole to grant increase in wage rates. . . . Wage increases are . . . imperative—to cushion the shock to our workers, to sustain adequate purchasing power and to raise the national income." Report of the National Wage Stabilization Board, 1947, p. 27.

[6] The breakdown in the Administration's postwar wage-price policy came in three stages. The first was the February 14 intervention in the steel case, which was followed by parallel wage and price adjustments throughout manufacturing industries. The second was the temporary suspension of controls in July, following the failure of Congress to renew controls at the expiration of the old Price Control Act on June 30. When the new controls act became effective July 26, 1946 it was weaker than its predecessor, but meanwhile the period of rapid open inflation had started. The third stage was the President's announcement of the supension of price ceilings on nearly all commodities November 9, 1946. At the same time, wage and salary controls were formally terminated. This third step was somewhat like locking the barn after the horse got out, since meat controls had been suspended a month earlier, resulting in widespread price increases, and the congressional elections of the week preceding November 9 had elected a Republican majority in the 80th Congress—bent on redressing the balance of labor's influence over the nation's economy.

In 1948 the steel contracts were re-openable on wages, but under the terms of the agreement the Union could not strike in the event of failure of the parties to agree. Being sensitive to the political criticism resulting from price increases, U. S. Steel proposed a policy of no wage increase to the Union, and made some minor price reductions as a gesture to stop the inflation resulting from the wage-price spiral. Although the Union was furious at this gesture, it had no choice but to accede to it. Later in the year when other major mass production industries negotiated wage increases with their unions, the steel companies voluntarily negotiated a 13 cent increase. Four days later, U. S. Steel raised its prices an average of 9.6 per cent, and again the Administration along with Democratic members of Congress voiced vehement criticism.[7] In both 1947 and 1948, therefore, the Administration, though highly critical of the policies of the steel companies, was able to stay out of the negotiations. In these two years there was free and direct bargaining between the Union and the steel companies.

In the fourth round of 1949, however, the White House was again a major participant in the bargaining. The negotiations between the Union and the companies started during what proved to be a temporary slump in the demand for steel. The Union requested wage increases, company-financed pensions, and other social insurances. The companies rejected both the wage and pension demands and made a token offer on social insurances. The Union then planned to strike the major companies. In order to avert a major steel shutdown, the White House intervened. It got agreement from the Union to postpone the strike pending investigation by a Presidential Fact-Finding Board which would have power to recommend a fair and equitable solution of the dispute. Pressure was then put upon the corporations to agree to this procedure. The Presidential Fact-Finding Board held extensive public hearings in which each side hired experts not only to present its particular side of the controversy, but also to make its case appear to be in accord with the public interest. The Board, which was primarily concerned with averting a strike, recommended that the companies agree to company-financed pensions and insurance programs. These recommendations were satisfactory to the Union, but the companies refused to accept them. A nationwide steel strike of 30–40 days followed. The deadlock was finally broken by the Bethlehem Steel Company, which agreed to a settlement similar to, though not identical with, the proposals of the Presidential Fact-Finding Board. The other steel companies fell into line one by one over a period of two weeks.

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[7] See letters of Senator O'Mahoney in *New York Times*, July 30, 1948, p. 16, and August 14, 1948, p. 12; statement of Senator McGrath, *New York Times*, July 29, 1948, p. 13; Representative Spruce, *New York Times*, August 3, p. 1; and President Truman's remarks on steel prices, *New York Times*, January 28, 1949, p. 25.

Again in the strike of 1949 the really critical issues were political, just as they had been in 1946, but the nature of these political issues was quite different. In 1947 the Taft-Hartley Law had been passed by Congress, over the veto of the President. Among other things, Taft-Hartley established a procedure for government intervention in peacetime emergency disputes. It empowered the President to determine the existence of an emergency, to appoint a fact-finding board *without* power to make recommendations, and to get an injunction against a strike for 80 days. Industry, including Steel, had been aligned with anti-administration congressmen and senators in support of legislation of this kind.[8] Organized labor, including the officers of the United Steelworkers, were naturally aligned with the White House, the Administration, and Democratic forces in Congress in vehement opposition to it. In 1948, organized labor in general, and the officers of the Steelworkers Union in particular, strongly supported Truman and the Democrats in the national presidential election. Obviously, the White House would be reluctant to use the Taft-Hartley Law in a dispute against labor, particularly if vital interests of the Steelworkers were involved.

Yet the White House viewed with alarm the prospect of a nation-wide steel strike in the early summer of 1949. Quite logically, therefore, it cast about for a procedure of intervening to prevent a steel crisis which would make it unnecessary to use this law that unions had labelled a slave labor law. Its attempt to revise the Taft-Hartley Act had failed.[9] The development of an "administrative alternative" to use of the Taft-Hartley emergency disputes procedure thus became a central objective of the Administration's labor policy.

The "administrative alternative" in 1949 was the *ad hoc* Presidential Steel Board with powers to investigate the dispute and to make recommendations. This procedure was obviously acceptable to the Steelworkers Union. In the spring of 1949 the Steelworkers were not anxious to strike in view of the apparent recession in production and employment in the industry. In negotiations, the companies had offered the Union virtually nothing. An *ad hoc* board charged with finding a formula to prevent a strike could be expected to come up with a recommendation somewhere between the rather substantial demands of the Union and the very meager offer of the companies. At best the companies would accept the board's recommendations, and thus the Union would win substantial concessions without a strike. At worst, the companies would reject the recommendations, but then the bargaining power of the Union and its position before the bar of public opinion would be greatly enhanced.

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[8] "Charges were even made that the Taft-Hartley Law had been written before the termination of committee hearings in the House, where it was introduced in April, 1947. It was also charged that the House version of the bill was 'written with the help of' prominent employer and industry spokesmen. Such allegations were made from the first days of the debate and continued even after the final conference measure was passed over the President's veto. . . . It was said also that, no matter what one could say about who wrote it, comparison of the bill with the 1946 legislative proposals of the NAM showed amazing similarities." Harry A. Millis and Emily Clark Brown, *From the Wagner Act to Taft-Hartley: A Study of National Labor Policy and Labor Relations* (Chicago, 1950), p. 370.

[9] Ironically, on June 28, seventeen days before the date of the threatened strike, the Administration's bill to repeal the Taft-Hartley Act was defeated in the Senate, on an amendment dealing with the President's powers to cope with emergency disputes. The Administration's bill (S.249, 81st Cong., 2nd sess.) provided a procedure much like that of the Railway Labor Act, with a fact-finding board with power to make recommendations, and no injunction on the union. An assault of amendments to this bill finally left it with only its first paragraphs, the Taft-Hartley Act having been amended into it completely. It was never brought to vote because of the certainty of a presidential veto. *Congressional Record*, Vol. 95, June 28, 1949.

The reasons why the steel companies went along with this procedure are much harder to divine. Our contact with some steel executives at the time indicated that they were surely aware of the pitfalls for them in this procedure. Two factors, however, may offer a partial explanation. First, they had been under criticism for some time for their price raises following wage increases, and they were fully aware that the White House would attempt to mobilize public opinion against them if they refused to submit their case to review by a public board. Second, what appeared to be a united front against the procedure by the larger steel corporations was apparently frustrated by some of the smaller and financially weaker companies who, with a particularly strong desire to avoid a strike, indicated that they would accept the White House offer. At any rate, the steel companies accepted, and in forthcoming weeks were chided by the National Association of Manufacturers, and in fact even indulged in public self-denunciation for ever having submitted to this kind of governmental intervention.[10]

Whereas the Union accepted the Board's recommendations, the companies were indignant and refused to accept these "government dictated" terms. Indeed, some of the companies hoped that the White House would now be forced to invoke the Taft-Hartley Act during the ensuing steel strike, and that this might strike a blow at the Union's political alignment with the Administration. The President, however, made it clear that he was in no hurry to declare that an emergency existed which would require this action.[11] Finally, the Bethlehem Steel Corporation, without consultation with the other companies, negotiated a settlement with the Union which, to the Steelworkers, was just about as satisfactory as the original recommendations of the Board.[12] The other companies soon gave up the fight and negotiated roughly similar agreements within another two weeks.

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[10] The *New York Times* reported a letter made public by Earl Bunting, NAM Managing Director, sent to 15,000 NAM members, saying that he and other "officers and staff" of the NAM "regretted that steel management had agreed to take part in the panel hearings." Several of the steel executives appearing before the Presidential Fact-Finding Board in New York City attacked the Board as politically inspired, or flatly challenged the legality of the Board on the ground that the Taft-Hartley Act was designed by Congress for handling emergency disputes. See statement of Clarence Randall, President of Inland Steel Company, *New York Times*, August 12, 1949, and statement of Arthur B. Homer, President of Bethlehem Steel Corporation, *New York Times*, August 17, 1945.

[11] At a press conference on October 27, 1949, after the steel strike had been in progress for over three weeks, Mr. Truman was reported to have said: "A national emergency in coal and steel is a long way off." The *New York Times* reported that "he was firm and emphatic in his views in his news conference that he would not use the Taft-Hartley Law's emergency dispute provisions unless and until there was an emergency." *New York Times*, October 28, 1949.

It is obvious that political factors were crucial in this controversy. At the same time, the Administration felt it had received a mandate from the American worker in the 1948 elections to rid the country of the Taft-Hartley law, and laid the blame for the postwar inflation on the machinations of "big business." In the spring of 1949, prior to the intervention of the White House, the Union was in a weak bargaining position. The companies, fully aware that it would be difficult to raise prices at a time when the demand for steel was falling off sharply, were prepared to take a strike. Furthermore, in the mass production industries the Steelworkers Union was attempting to initiate company-financed pensions and was not merely trying to match the gains of their sister unions in the automotive and electrical manufacturing field. There can be no doubt that the recommendations of the Board increased the bargaining power of the Union substantially, and in our judgment the gains for the steelworkers would have been much less if the White House had decided not to intervene when the strike was first threatened. The 1949 strike in steel dealt with two policy questions. First, it settled for all practical purposes the question of the bargainability of pensions in the steel industry. Second, it deflected the drive for the exclusive use of the Taft-Hartley Act in nationwide emergency strikes, establishing a precedent for the alternative procedure incorporated into the powers of the Wage Stabilization Board of 1951. Both factors contributed to the Union's victory in 1949. This the steel corporations knew full well, and they did not forget the circumstances surrounding the 1949 controversy when they came to grips with the next and greatest crisis of 1952.

III. THE STEEL CRISIS OF 1952

The steel contracts were openable on wages only a year hence when it was time for the fifth-round negotiations at the end of 1950. The Union negotiated a 16 cents per hour wage settlement, following which the industry promptly announced the customary increase in prices, this time averaging about 5½ per cent. Though there were again voices of protest raised by the Administration and Democratic members of Congress,[13] both the Steelworkers and the companies were anxious to get wages and prices up before controls were again inaugurated. Under these conditions, free and direct union-management bargaining was quite expedient. The 1950 wage settlement ran until the end of 1951.

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[12] The President's Fact-Finding Board had recommended a non-contributory pension plan costing about 6¢ per hour, and a non-contributory social insurance plan costing about 4¢ per hour. The Bethlehem Steel Corporation settled with the union on a pension plan, non-contributory, costing about 7¢ per hour, and a social insurance plan costing about 5¢ per hour, shared equally by employer and employees.

[13] Senator Joseph O'Mahoney was most outspoken in stating that the steel price rise was excessive. But in response to an inquiry by the *New York Times*, other Administration spokesmen were less critical. "The steel industry was reportedly given assurance in Washington that it would not be subject to criticism at this time for its price increase if it showed good faith in absorbing a large percentage of its higher costs and by holding its price rise in moderation." *New York Times*, December 3, 1950.

It soon became apparent, however, that in the sixth round the government would play the decisive role in negotiations. Government wage and price controls were instituted early in the winter of 1951. The Wage Stabilization Board, as re-established by executive order in April, had broad powers to investigate both economic and non-economic issues in disputes which might threaten an interruption of work affecting the national defense. This Board was also empowered to make recommendations to the parties on all issues involved. Thus, the White House had its "administrative alternative" to the Taft-Hartley Act long before the steel crisis developed.[14]

The steel contracts expired on December 31, 1951, so that all issues, economic as well as non-economic, were open. The principal requests of the Union, among the more than twenty demands, were wage and fringe concessions totalling over 30 cents per hour and the union shop. The companies flatly rejected the union shop demand and refused to make a wage offer. It was obvious to both parties that the ultimate resolution of the negotiations would be dependent upon the recommendations of the Wage Stabilization Board and the OPS. Apparently on the theory that the Board would find some way of splitting the difference between the Union's demands and the industry's offer, the companies thought they would serve their interests best by offering nothing in advance of the negotiations with the Board. It was informally admitted on all sides that the existence of the wage and price controls prevented any realistic collective bargaining between the Union and the companies.

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[14] Congressional response to the re-establishment of the Wage Stabilization Board by Executive Order 10233, April 22, 1951, was one of suspicion. In both Houses, committees summoned members of the new Board for an accounting of their powers to handle emergency disputes. Congressmen were concerned with the non-statutory basis of the new Board, and its possible "short-circuiting" of the Taft-Hartley law with its emergency disputes procedure for defense industries. In the House, the latter concern was expressed by Representative Lucas during the examination of George W. Taylor, Chairman of the new WSB, before the House Committee on Education and Labor:

" . . . And we know the President's attitude toward it [the Taft-Hartley Act] too; and is this going to be a means, and the great question is all over the country, is this going to be a means by which the Taft Hartley Act will be evaded?" Hearings before a Subcommittee of the Committee on Education and Labor, House of Representatives, 82nd Cong., 1st sess., pursuant to H.R. 73: *Disputes Functions of the Wage Stabilization Board*, p. 105.

Representative Gwinn concluded similarly:

" . . . Now what more perfect historical basis could we find for the fact that when you take over a labor dispute in a Wage Stabilization Board that you intend to by-pass the Act?" *Ibid.*, p. 121.

In the Senate, Senator Taft admitted the need for a more flexible procedure to handle emergency disputes during the defense effort, but wanted it to be established by Congress, not by executive order:

"It [the WSB procedure] is not covered by law at all, and now we are considering the Defense Production Act renewal, and if we want to set up this kind of system, Congress ought to set it up and it should not be done by Executive Order. . . . Now I do not say the Taft-Hartley Law is inadequate. It does not make any difference to me whether or not you violate the Taft-Hartley Law; I do not think you do anyway." Hearings before the Subcommittee on Labor and Labor-Management Relations of the Committee on Labor and Public Welfare, United States Senate, 82nd Cong., 1st sess., on *Wage Stabilization and Disputes Program*, p. 19.

Senator Douglas stated the Administration's position clearly:

" . . . Well, I do not care at all for the Taft-Hartley procedure, so if this is an alternative, I welcome it." *Ibid.*, p. 34.

Those who favored limiting the authority of the Wage Stabilization Board to economic issues introduced in the House the Lucas Amendment to the Defense Production Act of 1951, which would have removed from the WSB its powers to make recommendations in labor disputes. This proposal and its companion, the Kersten Amendment, were defeated.

The Union planned to call a strike on the date the contracts were to expire. The President put pressure on both parties to submit the dispute to the Wage Stabilization Board, which was directed to investigate the issues and to make "recommendations to the parties as to fair and equitable terms of settlement." The hearings on the dispute were conducted with the usual fanfare of hired experts and voluminous briefs. The public members of the Board, finding that the parties were far apart on nearly all issues in dispute, had the choice of making recommendations acceptable to the Union, acceptable to the companies, or acceptable to neither. They decided to make a recommendation on the economic issues which would be acceptable to the Union and which presumably would also be consistent with the very elastic criteria of wage stabilization. But they wanted to throw the union security issue back to the parties for direct negotiations. It was soon evident that the Steelworkers would accept nothing less than a union shop recommendation. Administration spokesmen made it clear at the time that in their opinion a nation-wide strike in steel would have disastrous consequences on the national defense production program and that it was imperative that a shut-down be avoided. The public members were reluctant, therefore, to propose something which would certainly be rejected by the Union and thus immediately precipitate a strike. Yet, had they reviewed carefully the political issues generated by the 1949 steel crisis, they would have known that the companies would stand firm against any attempt by the Administration to force such recommendations upon the industry. On March 20, however, they recommended a two-year contract providing for a package of general wage increases and fringe benefits which was the most liberal ever offered to or even negotiated by a C.I.O. union.[15] They also recommended that the parties negotiate a union shop clause. The Board, with the industry members dissenting, justified its recommendations mainly on the grounds that the Steelworkers should be permitted to "catch up" with unions in other industries which already had agreed to some kind of union shop and which were ahead of steel in wages and fringe benefits.

The Union immediately accepted the Board's recommendations. The companies at once denounced them and also the government's refusal to allow the price increases which they said were necessary to offset the proposed wage increases. The President gave blanket endorsement to the recommendations of the Board as well as to the initial decision of the stabilization authorities to refuse the price relief demanded by the industry.[16]

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[15] This package consisted of a total wage increase of 17½ cents per hour; reduction of North-South wage differential by five cents; increase in shift differential pay by 2 and 3 cents per hour for second and third shifts; double-time pay for six holidays, and time and a quarter pay for all Sundays worked; and other fringe benefits.

Attempts by the government to get the parties to settle the dispute by direct bargaining were unsuccessful. The industry offered to meet part of the wage and fringe concessions recommended by the Board, and there were indications that the government would allow the necessary price increases if the industry would go the whole way. But the steel companies were adamant in their opposition to the union shop. The Union, having the unqualified endorsement of President Truman and the Administration, naturally would not agree to settle for anything less than the Board's full recommendations. Since the deadlock could not be broken, a strike was ordered by the Union. On April 9, after the walk-out had already started, the President seized the steel mills and the Union ordered its members to go back to work.

From that point on, the controversy flared up into an open political and legal battle between the White House and the steel industry. President Truman sided squarely with the Steelworkers and verbally blasted the steel industry for trying to get "something special, something nobody else can get." The industry retorted with the charge that the White House decision to seize the mills instead of invoking the Taft-Hartley Act was the result of an "unholy political deal" between the C.I.O. and the Administration.

The strategy of the companies now was to fight the seizure in the courts, to dramatize the President's action as a step toward nationalization of industries by a socialist-minded Administration, to sloganize and surround the union shop issue with symbols of individual freedom, and to force President Truman to invoke the Taft-Hartley Act. The strategy of the Union was to keep the workers on the job and to get the Administration to put the recommendations of the Wage Stabilization Board into effect while the government had control of the mills.

On this political and legal war front, the steel companies won a major battle. The courts ruled that the seizure of the mills was illegal, and in the process prevented the government from giving wage increases to the Steelworkers during the seizure period. The Congress, as well as large segments of the press and public opinion, aligned itself against the Administration's policies in the handling of the steel crisis. After two more months of fruitless waiting, the Union had no alternative but to plunge itself into a nation-wide steel strike as soon as the Supreme Court ordered the mills returned to their owners.

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[16] Charles E. Wilson, as Director of the Office of Defense Mobilization, was considered to have been the negotiator for the steel industry for price relief. With his resignation on March 27, 1952, hopes for a steel price increase at that time were defeated. The industry's original estimate of the cost increase necessary to recoup the cost of the Board's recommendations was $12 per ton. However, the *New York Times* reported that the industry had brought down its ceiling to $7.50 a ton early in April in negotiations with officials of the Office of Price Stabilization. The final decision on price was $5.20 a ton, awarded by OPS the day after the settlement, July 25, 1952.

The Union still insisted on getting everything the Board had recommended, and the companies took the position that they would fight the union shop to the bitter end. They were also hopeful that they could force the White House to invoke the Taft-Hartley Act. The President, however, staunchly refused to take this action.[17]

In the struggle that followed, the union shop issue was critical. Indeed, not long after the strike started, the industry had been assured that it would be granted the price relief necessary to compensate it for increases in labor and other costs.[18] Anyone who remembered the position that the White House had taken on steel prices in 1946, 1948, 1949, and 1950 and who understood the political pressures at work in 1952 could have predicted that the Administration would be forced to back down on any attempt to keep the lid on the price of steel. The big steel companies, on the other hand, had a long tradition of unqualified opposition to the union shop. Even after General Motors, long an opponent of "compulsory unionism," negotiated a modified union shop with Walter Reuther in 1950, the steel companies were still determined to resist. Moreover, they were particularly outraged by the attempt of a government board to jam the union shop down their throats. Thus, in our judgment, the resistance of the steel corporations to the union shop was really more than mere opposition to the principle of compulsory union membership. The companies were even more determined to fight the Union—White House political alignment which was attempting to force this on them through government pressure.

Fortunately within the industry and the Union there were men of good will who recognized that the paralyzing steel shutdown would have to be resolved sooner or later by direct negotiations and compromise. After the strike had been in progress for about a month, the Union reached a tentative accord with Bethlehem Steel on a modified union shop arrangement which was somewhat weaker than the General Motors clause. This time, however, the six major steel companies had formed a united front in negotiations. The other five companies refused to accept the Bethlehem version, and, as a consequence, the strike continued for several more weeks while the argument centered about procedural questions which, though perhaps important in principle, were of little consequence in practice. Finally, under pressure from the White House, this time directed against the Union as well as the steel companies, agreement was reached on a provision quite similar to the original Bethlehem formula. It provided for a union shop in practice but not in principle. The union was able to say that this settlement provided "a new foundation for recognition and security," while the companies could argue that in theory it protected the right of every employee to decide for himself whether or not he wished to become or remain a member of the union. The agreement required all new employees to sign application cards for union membership to take effect within thirty days unless revoked by such employees during the last 15 days of the 30-day period following their employment.[19]

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[17] On June 10, President Truman addressed Congress, requesting powers to seize the steel industry until the industry and the union reached a settlement. At this time he stated: "I do not recommend that the Congress adopt the Taft-Hartley approach. I think it would be unwise, unfair, and quite possibly ineffective. The nation has already had the benefit of whatever could be gained by action under the Taft-Hartley Act. . . . In the steel case the union already, even before April 9, had voluntarily postponed the strike action for ninety-nine days. Insofar as fact-finding and delay are concerned, therefore, the practical effects of the Taft-Hartley Act were achieved in this case some time ago." *New York Times*, June 11, 1945.

[18] John Stephens, Vice President of U.S. Steel Corporation, testifying in 1953 on the proposed amendments to the Taft-Hartley Act, stated: " . . . but I also said that no matter what had happened on prices that the question of compulsory unionism constituted a very substantial barrier to settlement, and, in fact, continued for something like 6 weeks after the economic terms had been completely satisfied by conferences in the White House and in the old State Department Building. . . .

" . . . So, if the Government had decided come December 31 (1951) that the steel prices could have been increased X dollars a ton, there still would not have been any agreement." *Hearings*, before the Committee on Labor and Public Welfare, United States Senate 83rd Cong., 1st sess., on *Proposed Revisions of the Labor Management Relations Act of 1947*, p. 855.

In practice, very few employees have since taken advantage of the technical escape provisions of this formula. In arguing against this proposal before they finally accepted it, some of the steel managements quite correctly pointed out that the companies would become, in effect, recruiting agents for the Union and that the element of free choice on the part of the worker would be more theoretical than real. The net effect of this provision has been to guarantee the Union nearly 100 per cent membership in every steel plant.

This union security settlement along with the industry's acceptance of most, though not all, of the economic concessions recommended by the Wage Stabilization Board ended the 55-day steel strike. The companies promptly raised steel prices in accordance with previous understandings with Administration officials. This, of course, rendered meaningless any further serious effort on the part of the Administration to hold the line on either wages or prices.

In November, 1952 the Republicans won the national elections. In the same month, Philip Murray, the able and much loved and revered leader of the Steelworkers, passed away. This marked the end of an era of collective relations in steel—an era during which the Union and its great leader had been able to count on the sympathetic and friendly support of the Democratic Administration and the men in the White House. From this time on, the White House could be expected to be aligned with the companies rather than with the Union. This called for a radically new concept and strategy of bargaining in steel.

It is significant to note that there was bi-partite bargaining in 1953 and again in 1954 when all provisions of the contract were open for negotiation. The 1953 settlement was a direct $8\frac{1}{2}$ cents per hour wage increase. In 1954 the contract provided a package increase of 9 to 10 cents per hour, comprised of a 5 cent direct wage increase and improvements in pension and welfare benefits costing another 4 to 5 cents per hour. In both years, the United Steelworkers of America reached agreement with the United States Steel Corporation without governmental intervention. The pass-through on prices of $4 a ton in 1953, and an estimated $4 a ton in 1954, likewise provoked no murmurs from Congress or the Administration.

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[19] Provision is also made for an escape period at the end of the agreement, giving all union members the right to drop membership during the last 15 days of the contract.

IV. CONCLUSION

The analysis of collective bargaining presented above leads us to question many widely held beliefs underlying the appropriate role of the government in the area of labor disputes. Indeed, if the experience in the steel industry is any guide, many of the assumptions underlying our past national labor policy are myths which ought to be exploded. What, then, can the history of steel's bargaining from 1945 to 1952 teach us?

First, it should by now be abundantly clear that an industry-wide steel strike does not *immediately* create a threat to the national health, safety, or welfare. The 1946 strike resulted in considerable hardship for workers and employees throughout basic steel as well as throughout the steel processing and fabricating industries, but its overall impact on the nation's economy did not appear to be very great. The 1949 strike had little effect on other industries because inventories of steel were quite high and requirements relatively low. In 1952, the country somehow weathered a 55-day strike during a defense emergency when it was thought that every ton of steel was urgently needed to satisfy military and essential civilian requirements. Without minimizing the actual or possible adverse effects of these strikes on the economy, it is fair to say that their repercussions on the national health, safety, and welfare were in each case much less drastic than the government's ominous predictions.

Second, the record in steel shows that the government may be unable to prevent a strike in peacetime even when it does intervene. In 1946, 1949, and again in 1952 the government, although it succeeded in postponing the shutdowns, failed on all three occasions to prevent strikes. On each occasion, the industry emphatically demonstrated that it would not accept the recommendations of a government board which it felt was either "unfair" or "politically inspired." Thus, the experience in steel does not support the contention that government boards with power to make recommendations are effective instruments for resolving nation-wide steel controversies. In fact, one could argue that the existence of such boards, at least in 1949 and 1952, may have been an important cause of the strikes.

Third, the record in steel demonstrates that the government cannot and should not encourage free collective bargaining and at the same time attempt to enforce wage and price controls. If it becomes necessary to have wage and price controls, then there should be government "seizure" of collective bargaining, as was the case during World War II. In the World War II emergency, unions promised to abide by the decisions of the government by giving a no-strike pledge, and industry likewise temporarily forfeited its right to upset the government's decisions in the area of price controls. But in the partial emergencies right after World War II and during the Korean crisis, the Administration tried to hold the line on prices and at the same time permitted bargaining on wages and economic issues. Since the Administration had the final word on both wages and prices, the parties obviously were forced to bargain, not among themselves, but with the government. In 1946 and 1952 the result was that the main criterion for wage and price ceilings in steel became *the wage and price levels which would end a steel strike* rather than the levels which would be best from the standpoint of overall economic stabilization. In both cases, the government was forced to repudiate its wage and price stabilization policies. This had the unfortunate consequence not only of destroying the faith of the people in the government's stabilization policy but of undermining their belief in collective bargaining as well.

Fourth, government intervention in a nation-wide steel strike is bound to be critically influenced by broad political considerations. Indeed, collective bargaining in a nationwide basic industry such as steel is bound to take place in an environment both economic and political. As we have shown in the case of the three steel strikes, the bargaining strategy of the Union and the pattern of resistance offered by the companies were clearly molded by the Union's political alignment with the White House and the industry's political alignment with opponents of the Democratic Administration. If a Republican had been in the White House, these political alignments would probably have been different, and the intervention of the White House might have been more favorable to the industry than to the Union. It is unrealistic to expect, however, that the intervention of the government in any future crisis in the steel industry can somehow or other be "impartial."

Fifth, if, as we contend, intervention by the White House in an industry-wide steel dispute really cannot be "impartial," then the side which is likely to have the closest political alignment with the Administration may seek to increase its barganing power by creating conditions which may call for the intervention of the government. At this point collective bargaining ceases to be a direct process of negotiation between unions and companies; it becomes a tripartite process of negotiation over public policy. In the steel strike of 1949, for example, the appointment by President Truman of a fact-finding board clearly improved the bargaining position of the Union. In a future steel controversy, a decision by another President to invoke the emergency dispute procedures of the Taft-Hartley Act might greatly strengthen the position of the companies. Our argument here is that if the parties know that the government will intervene to prevent an industry-wide strike, the side which has the closest alignment with the White House may favor such a strike.[20]

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[20] Despite the political effect of almost any type of White House intervention, particularly in the early stages of an "emergency," it is likewise possible that a "lassez-faire"

Finally, our analysis suggests that in the future the government should not attempt either to postpone or to prevent a threatened industry-wide steel strike except in time of war or comparable national emergency. The policy of the White House should be to make it clear to the parties that it has no intention of immediately intervening in the dispute and that it will refrain from putting pressure on either side to make a settlement. Such a course of action would force the parties to bargain among themselves by removing the chance for either side to improve its position by bringing in the government. It is true that the government might eventually have to intervene if a strike in steel continued for several months. The rationale and method for such intervention lie beyond the scope of this paper. But we contend that if the White House would abandon any attempt to prevent steel strikes through early intervention, very few strikes would actually occur. Indeed, a predetermined hands-off policy on industry-wide steel strikes might conceivably lead the companies to favor a "one-at-a-time" rather than an "all-at-once" procedure of bargaining with the Union. If this were not feasible, the Union might at least follow a policy of pressing one company at a time rather than striking simultaneously all of the major steel producers.[21] In either case, nation-wide steel strikes which might ultimately endanger the national safety, health, and welfare could be avoided. Thus, the new era of labor-management relations in steel may well be characterized by a return to genuine bipartite collective bargaining which will be better for all concerned than the politicized tripartite collective relations of the past. The direct settlements which were made in the 1953 and 1954 negotiations in steel substantiate this view.

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position of the White House could have a considerable impact upon the negotiations, depending, of course, upon the position of the industry, the strength of the union, and the strategy of each at a given time. Such a hands-off policy could itself represent a political position of the Administration.

[21] That this might become the strategy of the Union in the 1954 negotiations in the absence of a sympathetic Administration is indicated by A. H. Raskin, *New York Times* labor reporter. Such one-at-a-time bargaining "would reduce the general hardship caused by the shutdown and would focus intense competitive pressure upon the strike-bound corporation." *New York Times*, June 23, 1954, p. 14. He further observed that "the attitude of ranking labor officials in Washington was that the threat of a steel strike next week did not call for White House intervention of the type that was customary under Democratic Administrations." *New York Times*, June 24, 1954, p. 18.

STATE COOPERATION IN ENFORCEMENT OF THE FEDERAL WAGE-HOUR LAW

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Our history affords numerous examples of efforts to secure state cooperation in the enforcement of federal laws, especially those marking abrupt changes in national policy. In practice, state cooperation has been most readily forthcoming in the administration of benefactory legislation. Most notably, federal grants-in-aid have been effective in helping to lift the standards of state services in such functional areas as highways, airports, public health, and agricultural technology. In another area, Selective Service has successfully employed local boards to enforce national policy. On the other hand, the Fugitive Slave law, the Civil Rights laws, National Prohibition, and the Emergency Price Control acts are reminders of the difficulties federal authorities have encountered in trying to enlist state aid in enforcement of national regulatory policies uncongenial to local sentiment.[1] This article examines the experience under a permissive provision of the Fair Labor Standards Act, section 11(b), which authorizes the national government to reimburse state agencies aiding in enforcement.[2] To the author's knowledge, this is the sole example of reimbursement for state aid in enforcing a federal regulatory statute. A companion provision of the act was designed to give local agencies a share in the task of securing compliance. Section 4(b) empowers the Administrator of the Wage and Hour Division, the agency responsible for enforcement, to "establish and utilize such voluntary, regional, local or other agencies, and . . . services, as may from time to time be needed." The sponsors of the Fair Labor Standards Act hoped, and competent academic observers predicted,[3] that federal reimbursement of state outlays for enforcement would take the curse off federal policy and turn state administrators into ready partners. At least some of the advocates of sections 11(b) and 4(b) were aware that if this experimental innovation in the technique of "cooperative federalism" proved successful, there were many other fields of national regulatory policy to which it might be applied.

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[1] The Eighteenth Amendment and the National Prohibition Act gave concurrent enforcement powers to the states and the national government. Enforcement had already broken down when President Coolidge on May 8, 1926 issued Executive Order No. 4439 directing that "any state, county, or municipal officer may be appointed at a nominal rate of compensation, as prohibition officer of the Treasury Department to enforce the provisions of the National Prohibition Act." The Congress objected strenuously to the President's order and it is a controversial point whether any state, county, or municipal officers were appointed or paid with federal funds. Laurence F. Schmeckebier, *The Bureau of Prohibition* (Washington, 1929), pp. 18 ff.

[2] 52 U.S. *Stat.* 1060, Public 718, 75th Cong., 3d sess. (1938). Section 11(b) provided: "With the consent and cooperation of State agencies charged with the administration of State labor laws, the Administrator and the Chief of the Children's Bureau may, for the purpose of carrying out their respective functions under this Act, utilize the services of State and local agencies and their employees and, notwithstanding any other provision of law, may reimburse such State and local agencies and their employees for services rendered for such purpose."

[3] Arthur W. Macmahon and John D. Millett, *Federal Administrators: A Biographical Approach to the Problem of Departmental Management* (New York, 1939), p. 417.

This is not the place to argue the value-laden questions whether federal-state cooperation is an intrinsically good end, and so worth paying an extra price for, or whether it is merely a sometimes convenient means; and, if it is a good in itself, whether its worth is to be measured chiefly in terms of rationality or consent. Neither does the experience reviewed here furnish sufficient grounds for hazarding a guess on the related question of the ultimate effects of state cooperation, if it can be obtained, on the substance of federal policy. Policy-makers must weigh the advantages of having more shoulders on which to rest the burden against the prospect that those who help shoulder the burden may also come to determine the direction in which it is carried.[4] The present inquiry is limited to the question why the reimbursement and cooperative provisions did not in fact suffice to produce wider cooperative arrangements.

Three methods are used to enforce the wage-hour law: persuasion, inspection, and litigation. In the main, cooperative efforts were limited to the first two enforcement methods. The child labor provisions of the FLSA evoked the most extensive cooperation. But until 1946 they were administered by a unique agency, the Children's Bureau, and it may be doubted whether that experience is any guide to what may be expected of efforts to carry out the other goals of the statute. This article is accordingly concerned only with cooperation in enforcing minimum and subminimum wages and overtime standards. It will consider (1) the original intent of the advocates of cooperation; (2) the formal impediments to cooperation, such as diversity of federal and state standards and lack of state funds and staff; (3) voluntary cooperation of state labor departments; (4) preparatory federal steps; (5) informal cooperation under section 4(b); (6) cooperation in administering subminimum wages; and (7) formal reimbursable agreements under section 11(b).

I. THE ORIGINAL INTENT OF THE ADVOCATES OF COOPERATION

The diverse motivations of federal and state officials and pressure group spokesmen supporting sections 11(b) and 4(b) probably were responsible in part for later developments—or more accurately, the lack of later developments. The Roosevelt Administration, anxious to accomplish piecemeal the social goals of the National Industrial Recovery Act, as originally introduced, but sensitive to the accusations of administrative inefficiency under the Blue Eagle, supported state cooperation under the FLSA in the belief that decentralization of the inspection process to the states would avoid conflict and breakdown of enforcement.[5] Congressmen urged the adoption of these sections so as to avoid the waste, confusion, and conflicts of duplicate inspections.

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[4] This is the concept of "cooptation" developed by Philip Selznick in his *TVA and the Grass Roots* (Berkeley, 1949). As defined and analyzed by Selznick, the concept is not entirely relevant to cooperative enforcement under the FLSA.

[5] Frances Perkins, *The Roosevelt I Knew* (New York, 1946), pp. 246–67.

To the Secretary of Labor, these sections were the culmination of efforts she began in 1934, when she created in the Department of Labor a new unit, the Division of Labor Standards,[6] to aid the states in improving their labor legislation. The years from then until 1938 had seen a renaissance in the development of state labor legislation. Secretary Perkins intended sections 11(b) and 4(b) to encourage and give direction to this movement by building in the states, with federal aid, stronger staffs of officials who would be influential with their own legislatures.

On the other hand, the Children's Bureau espoused section 11(b) because the experience with the federal child labor law of 1916 suggested that the general acceptance of state-issued employment certificates, as evidence of compliance with some FLSA requirements, would be an effective enforcement technique. Furthermore, section 11(b) authorized expenditure of federal funds to assist backward states to improve certification standards and procedures, thus widening the area for potential cooperation. Following this lead, half a dozen national organizations supported cooperative enforcement for similar reasons.

Several state labor commissioners supported section 11(b) because they thought that the states had not been adequately paid for their assistance in enforcing the provisions of the NRA codes. They wanted to avoid a repetition of that experience under the FLSA. With this splintering of interest among those most concerned, it is perhaps not surprising that after the sections were adopted there was no united pressure on either the Congress or the Wage and Hour Division in behalf of a common plan to put them to work.

II. FORMAL IMPEDIMENTS TO COOPERATION

Everyone involved took it for granted that correspondence between federal and state labor standards was a prerequisite for cooperative enforcement. Yet in 1938 there was still marked diversity in standards. For instance, in spite of substantial progress after 1933, twenty-three states, many of them predominantly agricultural, as yet had no minimum wage laws for women. In the South and Southwest, racial and historical influences impeded the adoption of wage legislation. In these states unions were relatively weak and public interest in labor standards was negligible. Not a single state applied minimum wage legislation to men. None of the state maximum hour laws for either men or women required time and one-half the regular rate for hours beyond the weekly standard. Of the seventeen states with homework laws in 1938, only nine regulated wages. The advocates of cooperative enforcement must have been aware of such discrepancies. Great expectations for future cooperation apparently rested upon the belief that the very considerable rate of progress and standardization in state labor laws achieved after 1933 would continue undiminished.

The fact is, however, that since 1941 not a single state has adopted a minimum wage law. Five states—Connecticut, New York, Massachusetts, New Hampshire, and Rhode Island—have by various provisions significantly broadened the coverage of their laws. Three states—Massachusetts, New Hampshire, and Connecticut—have amended their laws to provide for a statutory rate while retaining provision for wage boards. By 1952 five states had issued sixteen orders establishing minimum wages equaling the federal minimum of seventy-five cents an hour. However, a review of state wage orders since 1938 shows that: (1) no new states have extended minimum wage laws to manufacturing; (2) no minimum wage laws have been extended to additional branches of manufacturing; (3) in all but two of the industries classified as nonmanufacturing the number of states with minimum wage orders has increased; and (4) the principal extensions of wage orders have been in four nonmanufacturing industries: amusement and recreation, transportation (intrastate), hospitals (excluding nurses), and agriculture.

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[6] In 1948 the Division of Labor Standards was elevated to Bureau status.

Instead of concluding from this record that the diversity between state and federal standards has blocked cooperative enforcement, it may be nearer the mark to question the original assumption, universally accepted in 1938, that correspondence of standards was a necessary prerequisite to cooperation. The evidence thus far is inconclusive, but it does not rule out alternative hypotheses. The Constitution compels a difference in the coverage of state and federal labor laws; but diversity in the standards for those covered has no effect on the number of firms subject to federal jurisdiction which a cooperating state must inspect. Neither does it affect the numerous and complex interpretative questions which arise when the FLSA is applied to roughly twenty-one million employees working in approximately 715,000 establishments. Finally, correspondence in standards does not make it any easier to train state inspectors to apply the FLSA exemptions for the area of production and retail and service establishments, both alien to their experience. Indeed, a state without a minimum wage law might well find it easier to cooperate in enforcing the federal law because there would be no duplicate coverage problems and no possibility that state inspectors would confuse state and federal standards or interpretations. The problems created by the broad coverage of the federal law are probably more perplexing to state administrators and inspectors than are diversities in standards. Judgment on this hypothesis, however, will be reserved until the experience in cooperating states has been reviewed.

Other factors also affected the ability of the states to cooperate. Fiscal support of state departments of labor was frequently sporadic and inadequate. In 1939 the entire nation had not more than one thousand state factory inspectors, and one-fourth of these were employed in a single state.[7] In the same year only ten states used competitive civil service tests in appointing factory inspectors. "Too frequently, even when not political in the ordinary sense, the state departments of labor . . . [were] used as a means for the polite pensioning of innocuous labor leaders."[8] State minimum wage laws, once enacted, were frequently held unconstitutional or given restrictive interpretations in the state courts. Enforcement was hampered by inadequate fines and the suspension of fines. The broad coverage of the federal law complicated the interpretative process and the attainment of consistency in enforcement. The FLSA provisions governing coverage and exemptions, working time, overtime, and regular rate of pay, when applied to thousands of establishments with different management practices and accounting procedures, gave rise to complex and "close" questions unfamiliar to state labor inspectors. Another difficulty of which Congress and the executive branch were fully cognizant was the extremely precarious political context in which the FLSA was to be enforced. Daily contacts between inspectors and employers meant frequent opportunities for friction or misunderstanding. Two-thirds of the Division's annual appropriation is spent on inspections; the direct relationship between the size of the appropriation and the number of investigations which can be scheduled has made administrative officials very sensitive to congressional opinion. This summary of administrative difficulties suggests that a great deal of energy, patience, and conviction together with favorable circumstances would be required to achieve positive results from a cooperative enforcement venture.

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[7] Verne A. Zimmer, "The Interest of the Federal Government in Conserving the Sight of Industrial Workers," Bull. No. 37, U.S. Department of Labor, Division of Labor Standards (Washington, G.P.O., 1940), p. 18.

[8] Macmahon and Millett, *Federal Administrators*, p. 417.

III. INITIAL VOLUNTARY COOPERATION OF STATE LABOR DEPARTMENTS

Without any formal agreements under sections 11(b) or 4(b), state labor departments aided the Wage and Hour Division during its first few months by performing information and statistical functions. The Division faced a steadily increasing volume of complaints; it had an inadequate budget, a handful of partially trained inspectors, and meager materials to guide inspectors. State labor officials agreed to (1) report apparent FLSA violations; (2) provide lists of low-wage industries and establishments; (3) distribute copies of the Division's regulations to employers and workers; and (4) refer complaints and requests for interpretations of the act. As far as they went, these activities were helpful and pointed to a larger future role for the states.

IV. FEDERAL PREPARATORY STEPS

With considerable tact and ingenuity, the Department of Labor undertook a broadly conceived educational program to prepare the states for cooperation. The Division of Labor Standards compiled annual digests of state labor legislation, made comparative studies of state labor laws, and responded to state requests for help in drafting new statutes. It issued a factory inspection manual, conducted training courses for state labor inspectors, and helped organize regional and national conferences on labor legislation. The Secretary of Labor appointed a committee of state labor commissioners and AFL and CIO representatives to draft a model labor standards bill, which was approved by the Fifth National Conference on Labor Legislation in November, 1938.[9] Forty-four state legislatures met during 1939, and a concerted effort was made in behalf of the bill. Nevertheless, it was defeated in each of the thirty-six legislatures in which it was introduced. Somewhat better success attended another model bill circulated to state labor commissioners, giving them a positive authorization to cooperate. This was designed to remedy difficulties encountered in several states in which state fiscal laws or constitutions forbade the advance of state funds for cooperative work in expectation of federal reimbursement under section 11(b). The model bill prompted eight states and a territory to adopt enabling legislation.[10]

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[9] Louise Stitt, "State Labor Standards Legislation," *Law and Contemporary Problems*, Vol. 6, pp. 454–63, at p. 459 (Summer, 1939).

The Department recognized the annual National Conference on Labor Legislation, composed of state labor officials and representatives of interested civic organizations, as a source of strategically located support or opposition to cooperation. Especially during the early years, the opinions of this group were canvassed and its aid was solicited. The International Association of Governmental Labor Officials was another group whose cooperation was invited.

World War II intervened to curtail these promotional activities of the Department of Labor before substantial benefits could be realized. State labor standards, too, were generally relaxed or suspended during the war. Conditions after 1940 were not propitious for launching any ambitious new administrative program in a low priority field.

V. INFORMAL FEDERAL-STATE COOPERATION UNDER SECTION 4(B)

Notwithstanding the general failure to extend state legislation, limited experiments in state cooperation were made in several phases of the regulatory program. A review of these may illuminate the general problem posed at the outset of this article.

Federal cooperation with the state of New York in the regulation of homework in the gloves and mittens industry was undertaken in an atmosphere of cordial personal relationships between officials convinced that both parties would benefit from the arrangement. The New York law[11] requires homework employers and employees to be licensed and the homes to be annually inspected; each homeworker is issued a handbook in which the employer enters employment records. The terms of the FLSA order, for those subject to the federal jurisdiction, are virtually identical. During the fiscal year 1951, the New York State Department of Labor had 11,304 homework certificates outstanding and inspected 10,587 residences for compliance with its regulation;[12] the state spends more to enforce its law than the Wage and Hour Division has available to administer its homework regulations over the entire country.

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[10] They were California, Montana, New Hampshire, North Carolina, Oregon, Rhode Island, South Carolina, Vermont, and Hawaii; see Irving Paster, "National Minimum Wage Regulation in the United States," unpub. diss. (University of Michigan, 1948), p. 239.

[11] New York was the first state to regulate homework, which was of special concern both on health and welfare grounds and because the New York market attracted goods, especially items of apparel, made in neighboring states. Its first law was passed in 1874; in 1913 it enacted the first prohibitory law on the subject to be held valid.

[12] Figures supplied by Mr. J. D. Wolf, Supervisor, Homework Bureau, Division of Industrial Relations, Women in Industry and Minimum Wage, New York State Department of Labor, in a letter to the author.

The cooperative agreement between the two authorities provides that in this industry the Wage and Hour Division will forego inspections in New York and will accept state-issued certificates as evidence of compliance with the FLSA.[13] It does not provide for federal reimbursement of state expenditures. The spirit of separateness, often noticeable when federal and state officials carry out similar duties, has been largely overcome. Nevertheless, the Wage and Hour Division in April, 1950 rejected the state's proposal of a further simplification, the exclusive use of the state's homework handbook, on the ground that the federal order, like the state law, requires that completed books be filed with the agency as records, and this in spite of the fact that the Division does not use them for enforcement purposes. And although the agreement has been in effect for over a decade, no attempt has been made to extend it either to other industries in New York or to other states. Quite clearly, in this instance the bases of cooperation lie in the combination of three factors: continuing mutual confidence among the officials directly involved, the correspondence of state and federal standards, and especially the outstanding performance of the state in a field where it is heavily committed while the federal agency is handicapped for want of funds and staff. The prospect of a federal grant did not enter the calculation.

The Massachusetts plan for separate inspection and informal cooperation under section 4(b) was intended to meet almost any contingency which might arise when two agencies at different governmental levels are enforcing laws which are similar but not identical. The plan provided detailed procedures for (1) avoiding duplicate simultaneous inspections, (2) informing employers and employees of their responsibilities and rights under each law, (3) exchange of reports on alleged violations and contemplated enforcement action, (4) exchange of data relating to homework certificates, (5) conducting joint inspections, and (6) establishing and maintaining channels of communication between state and federal officials.[14] By 1944 similar informal arrangements had been made with Arkansas, California, Colorado, Illinois, Iowa, Kansas, Maryland, Michigan, Missouri, Nebraska, New Jersey, New York, Pennsylvania, Rhode Island, Texas, Virginia, West Virginia, and Wisconsin.[15]

These commitments are all procedural and such as the comity of good neighbors requires; neither party surrenders any claim to jurisdiction, appropriations, or ultimate freedom of action. Massachusetts was a logical place to start the plan. It had statutory wage standards probably as high as those of any other state. It had tradition and experience as the first state to enact a

[13] The number of certificates so issued and accepted ranges between 1,500 and 2,500 annually.

[14] A copy of the written agreement between the Wage and Hour Division and the Massachusetts State Department of Labor is on file at the national office of the Division in Washington.

[15] U. S. Congress, House, *Hearings Before the Subcommittee of the Committee on Appropriations on the Department of Labor-Federal Security Agency Appropriation Bill for 1944*, 78th Cong., 1st sess. (Washington, G.P.O., 1943), p. 50.

minimum wage law in 1912. By 1942 it had twenty-five wage orders in effect, seventeen of them in manufacturing industries. The overlapping inter- and intrastate coverage of orders applicable to manufacturing employment made it especially important in enforcing them to avoid the hazards of conflicts between federal and state inspectors, simultaneous inspection of firms by both authorities, and resulting confusion and resentment among employers and workers.

No single explanation will account for the participation of the other eighteen states—or for the non-participation of the remaining twenty-nine. Eleven of the eighteen had minimum wage laws specifying rates and overtime pay standards usually well below the federal requirements. Seven of these permitted employees to recover back wages, costs, and attorney's fees; eight provided for wage boards; and nine made violation a misdemeanor with criminal penalties.[16] Eleven of the eighteen also had industrial homework laws, nine of them requiring licenses of both employers and employees, and six regulating wages.[17] The attempt at federal control of industrial homework under the NRA had failed, and federal and state officials alike were skeptical of its prospects when the FLSA was adopted; nevertheless the statute did not exempt homeworkers from either the wage or hour requirements.[18] The inherent difficulties of enforcing homework regulations, the meager resources of funds and staff at the Division's disposal for the purpose, and the disrupting effects of interstate shipments of homework, all operated as incentives to official cooperation in this field.

This evidence is not enough to support a conclusion that correspondence of state and federal standards is a decisive element, and the remaining clues are speculative in nature and sporadic in operation. The eighteen states include eight of the twelve with some branches of manufacturing under wage orders in 1942; in these the likelihood of overlapping coverage and consequent conflict was presumably a factor. It is also noteworthy that the important industrial states and those with the most advanced statutory labor standards were included. Among the Southern states only Texas, which regulated homework, and Arkansas and Virginia, which did not, participated. But some Midwestern agricultural states with relatively low standards—Iowa, Missouri, Kansas, and Nebraska—also participated. Perhaps geographical proximity was significant, for every participating state except California shared a common border with at least one other in the group. This suggests the importance of field office leadership—a regional director who has made several state agreements may be ambitious to round out his assigned area. It reinforces, too, the hypothesis that the Division was readiest to unload, by the cooperative formula, the burdens of regulating homework, since it was common knowledge that homework was shipped among several of the participating states. But more definite evidence would be needed to warrant positive conclusions.

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[16] Florence P. Smith, *State Minimum Wage Laws and Orders 1942, An Analysis,* U.S. Department of Labor, Bull. No. 191, Women's Bureau (Washington, G.P.O., 1942).

[17] *Industrial Home-Work Legislation and Its Administration,* U.S. Department of Labor, Bull. No. 26, Division of Labor Standards (Washington, G.P.O., 1939). By 1945 Colorado, Utah, West Virginia, and the District of Columbia had adopted homework legislation.

[18] In seven wage orders under the FLSA the Administrator prohibited industrial homework except by those who were physically or mentally handicapped or unable to leave home because they were responsible for the care of an invalid. Licenses were required of both employers and employees and detailed records were to be maintained.

The degree of actual cooperation achieved under the Massachusetts plan varies greatly from state to state; this is the unanimous testimony in discussions with national, regional, and field officials of the Division and at several state labor departments. Within a single state, moreover, the amount and kind of cooperation given may be altered radically within a short time, especially if political control of the state government changes hands.[19] Within a particular region or state, a single program, or even one aspect of it, may generate extensive cooperative activity while the others languish. A civic group may be the moving force, as in Ohio in recent years where the Executive Secretary of the National Consumers League promoted joint efforts of state labor officials and regional Wage and Hour Division personnel with respect to child labor. In some areas the National Child Labor Committee has stimulated state interest in cooperation with the federal government. The adoption of new laws at either the federal or state level frequently inspires renewed efforts at cooperation for a short time. The exposure of abuses or of negligence in enforcing the laws sometimes results in temporary cooperative efforts to correct these conditions.

Effective cooperative enforcement of the federal wage-hour law on an informal basis requires mutual confidence as well as detailed plans and supervision. Plans are easier to draw up than to carry out. Most supervisors interviewed acknowledged that they did not know whether or not inspectors were following the notification and reporting procedures required in the Massachusetts plan. Consistent and conscientious observance of these procedures would require a good deal of time and tact.[20]

VI. COOPERATION WITH THE STATES IN ADMINISTRATION OF SUBMINIMUM WAGES

The Wage and Hour Division early developed informal cooperative enforcement procedures with states which exempted learners from their minimum wage laws. To simplify the tasks, steps were taken to bring federal and state standards into closer correspondence. State labor officials were notified of the Division's learner regulations so that they would not promulgate learner wage rates lower than the federal rates in industries covered by the FLSA. When the wage-hour law was adopted, three states were issuing learner certificates in industries in interstate commerce. By 1940 twelve states had learner rates lower than the FLSA; four had higher rates. In Minnesota and Massachusetts the federal learner rate was raised to meet the higher state minimum. In the postwar years, since the seventy-five cent FLSA minimum became effective on January 25, 1950, federal learner rates have usually been higher than state rates, but the going wages under a high level of employment have minimized enforcement problems in this field.

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[19] This was true also of prohibition enforcement. Compare the Wickersham Commission's observation in 1931: "Conditions are not wholly the same from year to year anywhere. Upheavals in local politics, changes of administration, varying policies in policing, the activities of strong or inactivities of weak personalities in executive positions, contribute to make the course of state enforcement, at least in the average urban locality, fluctuating, vacillating, or even spasmodic." National Commission on Law Observance and Enforcement, *Report on the Enforcement of the Prohibition Laws of the United States* (Washington, G.P.O., 1931), p. 40.

[20] Personality factors are obviously important. Compare again the Wickersham Commission report: " . . . the federal authorities can often secure cooperation through their own tact and conciliatory attitude . . . in Maryland the United States attorney reports, that although there is no state prohibition act and the governor and the state government are hostile to the Eighteenth Amendment, the detective bureau constantly helps to locate offenders and detains them until the federal authorities can take them, and information of the violations of law is given constantly by policemen to the United States attorney." *Ibid.*, p. 43.

Cooperative enforcement before the war may be illustrated in New Jersey. There, because a state wage order prohibited the payment of subminimum rates to women and minors in more than half a dozen industries, no federal learner certificates were issued in the apparel industry, most of the workers there being women or minors. And although such certificates were issued in the hosiery industry, the employer was informed that they did not apply to women and children covered by the state wage order. In California federal learner certificates were issued in the apparel industry, but employers were informed that a state wage order required a higher rate for the last four months of the learning period.

Finally, it should be noted that the Wage and Hour Division accepts as evidence of compliance with the FLSA requirements the apprentice contracts made under the auspices of and approved by a state or local apprenticeship council recognized by the Federal Committee on Apprenticeship if the contracts conform to the Committee's standards.[21]

In summary, we may conclude that the several types of cooperation reviewed thus far, which rest on section 4(b) and involve no federal reimbursement, are of only marginal importance and do not go beyond what common sense might dictate in the absence of that section. Does the prospect of reimbursement make a critical difference?

VII. FORMAL STATE COOPERATION IN ENFORCEMENT UNDER SECTION 11(B)

The FLSA had been in effect almost a year before the Wage and Hour Division and the Children's Bureau issued a joint regulation for utilizing the enforcement services of state agencies. It incorporated the standards approved by the Fifth National Conference on Labor Legislation. It required a "qualified"[22] state agency to submit an inspection plan to the Division and to the Bureau.

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[21] Administration of subminimum rates for the handicapped has not been decentralized to the regions, so that there has been little opportunity for state cooperation on this phase of FLSA enforcement.

[22] To qualify an agency had to have as its primary responsibility the administration of labor laws, had to employ a full time director and an adequate inspection staff, and had to engage in inspection work comparable to that under the federal law.

If they found the plan reasonably adequate and if the state agency accepted the joint regulation, a contract was offered under which the state performed specified services and was reimbursed for the cost.

The first such cooperative agreement was made with North Carolina to take effect November 1, 1939. Several favorable considerations prompted the selection of North Carolina. The Assistant Administrator of the Wage and Hour Division in charge of the Cooperation and Enforcement Branch, the unit responsible for implementing section 11(b), was the former state labor commissioner and a close friend of his successor in that elective office. The Roosevelt Administration welcomed a chance to recognize the Southern state which more than any other had made substantial progress in the adoption of progessive labor legislation. The North Carolina State Department of Labor had a reputation for friendly relations with employers and employer associations without deleterious effects on enforcement. Moreover, North Carolina industries were sufficiently diversified so that most of the problems likely to arise under any state agreement would probably emerge, and the state was close enough to Washington to permit ready supervision. North Carolina was selected in spite of the fact that it did not then and still does not have minimum wage or homework legislation.

Under the joint regulation annual agreements are made by the Wage and Hour Division, the Secretary of Labor, and the North Carolina State Department of Labor. A typical agreement includes a statement of: (1) citations to statutory authority, (2) definitions, (3) approval of the joint plan, (4) termination procedures, (5) fiscal responsibilities and procedures, (6) the functions of the federal unit, (7) the manner in which investigations under the FLSA and the Public Contracts Act are to be coordinated with inspections under the state safety, health, child labor, and maximum hour laws, (8) the division of inspectors' time between state and federal work, (9) the lines of supervision and the location of offices, (10) litigation policy, (11) job descriptions, and (12) regulations governing the appointment, training, promotion, and tenure of personnel, and the compensation of injured employees.

Under the terms of the first annual agreement with North Carolina the state department was responsible for three-fifths of its annual expenditures and the federal government for the remainder. In the agreement operative in June, 1952, the annual budget was divided on a two to one basis with the state paying the larger portion. Under the original agreement the state department of labor functioned as a branch of the Division's regional office at Raleigh for the purposes of the cooperative program; since 1941 it has reported directly to the Administrator in Washington. A technical adviser from the Division's national office is assigned to the state labor department to assure consistency in inspection policies.[23] The Division's regional office is responsible for the initial training of inspectors. The state provides space for the federal unit in Raleigh, and the Division furnishes equipment and supplies for the state staff employed on the federal work.

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[23] The duties of the federal representative require him to maintain a measure of independence of the views of state labor officials. In Minnesota the federal representative in St. Paul can have frequent contacts with regional employees of the Division in Minneapolis; thus his position is not as isolated as that of the federal representative in Raleigh.

Labor inspectors in North Carolina are divided into three functional categories: (1) wage-hour inspectors who conduct payroll investigations under the FLSA, the PCA, the child labor provisions of the FLSA, the state child labor laws, and the state maximum hour and day-of-rest laws for men and women—these inspectors limit their investigations almost entirely to interstate business; (2) safety inspectors who spend an estimated twenty per cent of their time in spot checking payrolls of both interstate and intrastate firms for general compliance with the FLSA and PCA—these inspectors are paid by the state and their payroll inspections represent a contribution to the federal program for which the state is not paid; (3) maximum hour inspectors who enforce the state forty-eight hour week for women and fifty-five hour week for men, and day-of-rest laws for men and women—these inspectors limit their investigations almost entirely to intrastate business.

Judgments on the results obtained from the North Carolina experiment naturally differ, depending on the observer's vantage point. The Bureau of Labor Standards in Washington is on the whole pleased, and so are the state labor officials; the Wage and Hour Division is less happy. During the early years particularly, conflicts between national and state officials and programs were not uncommon. Sometimes the national office had two or more branches simultaneously making studies of state operations; this put undue demands on the time of state staff. Occasional national office staff failures to observe channels confused state personnel. Perhaps there have been times when both sets of officials regretted the cooperative undertaking. At one time some Washington office officials thought that the North Carolina program cost too much. One difficulty, unanticipated on either side, concerns reporting. The Division requires a written narrative report for each inspection case file. The state requires no such report, partly because it has no minimum wage law, and the federal agency has had trouble in getting the inspectors to write satisfactory reports. This item apart, the North Carolina officials believe that their state labor department gains prestige from its participation in the federal program and favor continuing it. They have been helped in increasing the salaries of inspectors because of their role in enforcing the FLSA.

The Minnesota agreement resembles the North Carolina model. The state law comes closer to matching FLSA standards—for instance, Minnesota has minimum wage legislation, applicable only to women and children, and a number of wage orders outstanding at rates considerably below seventy-five cents—but on the whole Minnesota's reputation is for good enforcement of relatively weak labor laws. This suggests that when the quality of state enforcement is good enough, a disparity in the two sets of statutory standards is no serious obstacle to cooperation under the FLSA. Indeed, the difference in the incidence of the state and federal laws here is such as to make it unlikely that the disparity in standards has any substantial effect on the administrative performance of the state department.

Both the organizational arrangements and the division of responsibility in Minnesota differ from those in North Carolina. For the purposes of the agreement, the Minnesota State Department of Labor and Industry operates under the Chicago regional office of the Wage and Hour Division. The state is divided into two parts, one of which is inspected by the state department with headquarters in St. Paul and the other by the Minneapolis field office of the Division. The assignment of counties to each part changes from year to year. At the changeover date pending cases are transferred from state to federal inspectors, and vice versa, resulting in some confusion and lost motion. The national office has pressed the state department to agree to less frequent changes in the assignment of counties, but state officials insist on the annual shift. No doubt their adamance stems less from any want of confidence in their inspectors—such as sometimes leads police chiefs to rotate policemen's beats—than from the political necessity of treating with bipolar impartiality the traditional rivalry of the twin cities that adorn the state. As in North Carolina, a liaison representative of the Division's national office is maintained in the office of the state department. He is responsible for obtaining observance of national policies and procedures, and for coordinating the FLSA work of the two agencies in the field. Attorneys from the Chicago regional office of the Solicitor of the Department of Labor[24] are available for consultation with state labor department officials. The agreement in force during the fiscal year 1950 provided that the federal government would pay the salaries and travel expenses of five investigators and that not less than seven inspectors were to be authorized to inspect for compliance with the federal statute and state laws. Reports on federal cases are reviewed by the Chief of the Division of Women and Children in the state department, the federal representative, and a field operations officer from the national office.[25] Investigators are required to record daily the time spent enforcing the state labor laws and the FLSA.

As between these two patterns, officials of the Bureau of Labor Standards in Washington prefer the North Carolina organizational arrangements. The Wage and Hour Division has not asked Minnesota to take over FLSA enforcement in both parts of the state. The state department opposes such a change on the ground that enforcement of the state law would suffer. Implicit in this view is a judgment either that Minnesota's good enforcement record, albeit with feeble legislation, has not been significantly aided by federal cooperation, or that increased responsibilities would not be matched by a corresponding increase in federal assistance.

In 1941 the Wage and Hour Division made a formal cooperative enforcement agreement under section 11(b) with the Connecticut State Department of Labor. After a year or two the agreement was terminated because the labor commissioner insisted upon assigning the federal program to the agency responsible for administering the state wage collection law. Since then no further cooperative agreements have been made beyond the renewal of the North Carolina and Minnesota contracts. Considering the expectations that prevailed only two or three years earlier, this seems an extraordinary outcome. The causes are to be found partly in the situation in Washington and in the states, and partly in the war.

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[24] The original law gave the Wage and Hour Division its own General Counsel and regional attorneys. In 1941 Secretary Perkins abolished the Office of General Counsel and assigned the functions to the Solicitor of the Department of Labor, but she did not disturb the regional attorneys. When the House Appropriations Committee learned of this, it insisted that regional attorneys too be made responsible to the Office of the Solicitor.

[25] In June, 1952, the Wage and Hour Division had four field operations officers attached to the national office who were responsible for securing consistency in inspection policies. Most of their time is spent in the field.

First of all, frequent changes in the leadership of the Wage and Hour Division, and of topside estimates of priorities among the Division's goals, contributed to an irresolute policy. Elmer F. Andrews, the Division's first Administrator, had been, while Industrial Commissioner of New York, a strong advocate of state cooperation. Some of his initial enthusiasm may have dminished after he assumed the federal office. In his first report to the Congress in 1938 he stated:

> The Division intends to conclude affiliation agreements for the performance of this work with State departments of labor as rapidly as these State departments are in a position to undertake the functions. However, it is recognized that the building up of a trained inspection staff cannot be undertaken overnight in many States, and meanwhile the Wage and Hour Division has the responsibility for seeing that the statute is enforced until such time as States may be in a position gradually to take over these functions.[26]

But a year later he reported new obstacles to early decentralization:

> It is essential that uniform policies and procedures be maintained in order to give equal protection to employers and employees affected. . . . it was impossible at once to utilize fully state inspection staffs since there were no funds to reimburse State labor departments. . . . It was also deemed essential to maintain central control over all work connected with administration of the act during the period immediately after it became effective, so that policies and procedures would not vary from State to State.[27]

Other objectives were claiming his attention, too. One of the factors in his selection was his prior experience with wage commissions in New York. He was anxious to move along rapidly with the establishment of industry committees under the FLSA, a step which had strong union support. It seems likely that the industry committee program was given precedence over cooperation with the states as to funds, policy formulation, and staff. Nevertheless, most Washington observers believe that had Andrews not resigned in October, 1939, more state agreements would have been made.

He was succeeded briefly by Colonel Philip B. Fleming of the Corps of Engineers, who had served as WPA Administrator in New York City. Among his qualifications for the Wage and Hour Division post were his reputed talents for administration and his high standing in the confidence of congressional committees. Administrator Fleming announced that he "intended to hold back to see how these agreements develop before we go ahead with other States, although some other States have asked for agreements. . . ."[28]

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[26] *Interim Report of the Administrator of the Wage and Hour Division for the Period August 15 to December 31, 1938*, U.S. Department of Labor (Washington: No G.P.O. imprint, 1939), Part II, p. 20.

[27] *First Annual Report of the Administrator of the Wage and Hour Division for the Calendar Year 1939* (Washington: G.P.O., 1940), p. 69.

In less than two years he in turn was succeeded by L. Metcalfe Walling, Administrator of the Public Contracts Division, who held the office until the end of the war. Before going to Washington in 1937, Mr. Walling had earned a brilliant reputation as labor commissioner of Rhode Island. Immediately after assuming office Walling was involved in a futile struggle to win for the Division a major role in defense (later in war) labor administration. Nevertheless, he succeeded in obtaining from the temporary war agencies a wide range of special investigation assignments. At the same time that the Division was assuming these new projects, there was a rapid expansion in the scope of investigative work under the Public Contracts Act. Both of these developments deflected interest from state cooperation. When the Division moved to New York in 1942, it lost investigative personnel to war agencies and private industry and there was no reservoir from which to draw replacements. Even had Administrator Walling supported an expansion of state cooperation, there would not have been adequate supervisory staff to execute such a program during the war. In the postwar period with a new Administrator, Wm. R. McComb, in charge, the Wage and Hour Division concentrated on raising the statutory minimum and was not interested in developing more state agreements. Recently, the Eisenhower Administration has conducted preliminary negotiations for cooperation with one state but no agreement has yet been reached.

At the state level, too, the emphasis during the war shifted from minimum wage enforcement to wage stabilization, labor supply, and better utilization and training of workers. Like the Wage and Hour Division, the state labor departments were hard pressed to retain inspectors. Since the end of the war, states like New York and Wisconsin, once eager to cooperate, are reported no longer to be interested. The complex problems arising under the overtime requirements of the FLSA are responsibilities not to be assumed lightly. The bureaucratic interest displayed in North Carolina, where participation in the federal program lent prestige and helped raise salaries for the state department, seems not to be a sufficient moving force by itself. And the prospect of federal reimbursement has not been an incentive powerful enough to counter tides that have turned strongly in the opposite direction. On the one hand, the same forces that brought about the Taft-Hartley Act secured the passage of "right-to-work" and other anti-labor manifestations from a number of state legislatures, and put the administration of state labor laws into hands guided by no innovating spirit. On the other hand, a high level of employment was worth a battalion of inspectors.

VIII. CONCLUSIONS

In retrospect, what conclusions can be drawn about the striking discrepancy between expectation and achievement under sections 11(b) and 4(b)? Seldom has an experiment been launched with more general approval. As a matter of fact, had these sections been controversial and the lines firmly drawn at the time the bill was considered by the Congress, perhaps there might have been more external agitation for cooperation during the first year or two. In this sense the policy reversal was non-political. But political considerations did enter in another way. As originally adopted, the act placed the Division in a semi-autonomous position in the Department of Labor. In less than two years the Secretary of Labor succeeded in subordinating the Division to a position comparable to that of the other Bureaus and won control of both its budget and its personnel. Thus the appropriations committees of both Houses considered the Division's estimates in the context of their long dislike for the Secretary of Labor. Only in 1942 were the Division's appropriations adequate for the task the Congress had assigned, and then it was too late; thus the Division's claim that it did not have funds for cooperative enforcement was substantially corrrect. For the most part congressional committees have been indifferent to cooperative enforcement.

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[28] U.S. Congress, House, *Hearings before the Subcommittee of the Committee on Appropriations on the Department of Labor-Federal Security Agency Appropriation Bill for 1942*, 77th Cong., 1st sess. (Washington, G.P.O., 1941), Part 1, p. 339.

Another factor in the result was bureaucratic. The national office of the Wage and Hour Division was confronted with a rapid and unmanageable accumulation of uninvestigated complaint cases at a time when major enforcement policies were still in the making and labor unions were clamoring for the early establishment of industry committees. Under the most favorable circumstances, the process of negotiating cooperative agreements with the states was slow and tedious, sometimes requiring amendments to state constitutions and the adoption of enabling legislation, and in any event the recruitment and training of additional state staff. During the first year and a half the Wage and Hour Division saw no immediate solution for the complaint case backlog in rapid and wholesale extension of state cooperative arrangements. Meanwhile, political and administrative pressure to dispose of the accumulated cases led the Division to expand its own regional and field staff. Once brought into being, the field staff constituted a vested interest against transfer of investigative work to state officials.

Still another typically bureaucratic factor is the attitude of the top staff at the national office that when the state assumes part of the task the Division loses a large measure of control but remains responsible for results. Whatever the merits of this attitude, it is widely held and certain conditions lend it credence. Although the arrangements for state cooperation involved systematic and thorough review by both state and national officials, there is no denying that the field staff, whether federal or state, has a range of discretion in the selection of particular firms in the general categories to be investigated and in the scheduling of inspections. There appears to be some uneasiness about the competency of state staff. In a few states labor commissioners are elected; in some others the governor regards the position as a political plum useful in paying a campaign debt to organized labor or employer associations. The general level of salaries for state investigators being substantially below that of the federal government, the prospects of securing an equally competent staff seem dim.

Earlier in this article the question was raised whether correspondence between state and federal standards was a prerequisite for effective cooperation. On the evidence reviewed it can be concluded that except for such specialized programs as the regulation of homework and child labor in agriculture, correspondence is a negligible factor. Differences between state and federal laws unquestionably add complications for state enforcement personnel. However, even when the two statutes correspond in the main, there remain a large body of technical questions and areas of investigation (by reasons of differences in coverage and exemptions) as to which state personnel need further training. Taken together, the North Carolina and Minnesota experiments suggest that caliber, morale, and training of state staff is a far more important factor in judging suitability for the task of enforcing the federal law than correspondence of that law to state legislation.

Finally, the conclusion is inescapable that the mere availability of federal funds whether in terms of an authorizing statute or even in terms of available appropriations[29] is not by itself, in the political and economic climate which has prevailed since 1940, a sufficient inducement to bring federal and state authorities eagerly and promptly into cooperative arrangements. This is not to say that another generation may not see other steps taken under sections 11(b) and 4(b). But it does suggest that federal reimbursement is no general panacea for assuring ready state help in enforcing federal law. Had the states had going staffs at the effective date of the FLSA, the experience under sections 11(b) and 4(b) might have been different. Since 1938 the total dimensions of the enforcement problem have shrunk despite increases in the number of establishments subject to the act.[30] A sharp change in economic conditions might promote renewed interest in this now moribund experiment.

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[29] Although the 1942 budget was regarded as adequate, it did not, as a matter of fact, include substantial appropriations for reimbursement under section 11(b).

[30] The number of employees estimated to be subject to the FLSA increased from approximately 12,600,000 in 1939 to 20,900,000 in 1951. Coverage was reduced by the 1949 amendments.

The Wage and Hour Division has refused to accept the views urged by the House Appropriations Committee that as employers become acquainted with the provisions of the law the Division can inspect a decreasingly smaller percentage of covered establishments without deleterious effects on compliance. The Division has consistently maintained that violations occur because: (1) the employer is ignorant of the requirements, (2) the violations are technical and unintentional and will be corrected when discovered, (3) the violations are willful, and (4) the employer contests the Administrator's interpretation of the act. Although most employers comply, the Division contends that there will always be a small percentage, but numerically a rather substantial number, who can be brought into compliance only by inspection. The large number of new firms since the end of World War II complicates enforcement. Violation rates remain surprisingly stable despite improved economic circumstances, partly as a result of the Division's improved techniques for concentrating inspections in areas and industries where compliance is the poorest, and partly because overtime violations increase as wages increase. In 1942 the Division inspected 74,676 establishments compared to 26,189 in 1950.

MILITARY ASSISTANCE FOR PAKISTAN

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On November 1, 1953 the Karachi correspondent of the *New York Times* filed a dispatch reporting that discussions of a military alliance between Pakistan and the United States were about to begin. On February 25, 1954 President Eisenhower announced that the United States had decided to give military assistance to Pakistan for the purpose of "strengthening the defensive capabilities of the Middle East." With the President's statement a new and powerful force entered the international politics of South Asia and another landmark of American foreign policy was set up. In the four months which intervened between the newspaper report and the official announcement, most of the important trends and issues in contemporary world politics had touched on or been touched by the U. S.-Pakistan proposal. Internal and external affairs of a dozen countries were affected. Most of the instruments of diplomacy and propaganda were employed to support or oppose agreement. Of primary importance to the United States was the clear and specific implementation of our established policy of supporting regional alliances of free nations to "contain" Soviet aggression and to prevent further expansion. Because of the novelty of the area into which the policy was extended, the speed with which it was implemented, and the precision of the reactions of all parties, American military assistance for Pakistan constitutes an almost ideal case study of international relations in a world in which the movement of events has been greatly accelerated.

Though unique in many respects, the U.S.-Pakistan agreement was quite ordinary in one. It took place in an atmosphere of public clamor and official silence. This was especially true of the American role. It is not always possible, therefore, to catalog events with absolute certainty or to determine with complete accuracy each step in development of the proposal. Press coverage was wide and full, however, and much of it was obviously the result of deliberate "leaks" by official sources. Even from this it is possible to extract a significant pattern. This pattern can best be seen by consideration of the events which shaped it under four general categories: (1) official reaction; (2) pressure of press and public; (3) implementation of the aid program and the changes it underwent in development; and (4) factors which underlie the U.S. decision to arm Pakistan, and their meaning.

I

The first public report that the United States was considering a military alliance with Pakistan appeared in the *New York Times* of November 2, 1953. The correspondent stated that discussions would take place when Pakistan's Governor General Ghulam Mohammed visited President Eisenhower in Washington on November 12. He quoted "a high Government official . . . cabinet ministers and high-ranking military men," and stated that Pakistan "was willing to consider an exchange of air bases for military equipment." On November 11, the Associated Press reported from London that "British and Pakistani informants" had confirmed that "the United States was negotiating with Pakistan for permission to establish military bases there in exchange for defense aid."[1]

It was at this point that official notice was first taken. On the same day the State Department admitted that there had been "general conversations" on the subject, but insisted that no "negotiations" had been undertaken. The next day Governor General Ghulam Mohammed called on President Eisenhower and Secretary Dulles. Later, a State Department press officer said that there had been "continuous conversations and considerations" of Middle East defense, but insisted that it was "beside the fact" to look upon the Governor General's visit "as part of an integrated specific program" or as anything which involved "concrete suggestions."[2] With the Governor General in Washington were Foreign Minister Zafrullah Khan and Army Commander-in-Chief General Ayub Khan.

Prime Minister Nehru of India first commented on developments in his press conference of November 15 in New Delhi. He described reports of a U.S.-Pakistan military alliance as "a matter of the most intense concern to us," and added that he was "watching these developments with the greatest care." He said his views had been conveyed informally to the United States. In Washington the next day, Indian Ambassador G. L. Mehta, after a visit with Secretary Dulles, told newsmen that the subject of the conversation had been military assistance for Pakistan. In his news conference of November 17, Secretary Dulles in answer to a reporter's question declared flatly that no negotiations were underway at the time that would provide Pakistan with military assistance or that would lead to the establishment of American bases there. The following day President Eisenhower told his press conference that the United States would be most cautious about doing anything for Pakistan that might create unrest or hysteria in India.[3]

Pakistan now got in a few verbal blows. Governor General Ghulam Mohammed, in London on his way home, expressed surprise that Mr. Nehru had commented on the reports of a military alliance "without first thinking it necessary to verify their veracity." Pakistan's High Commissioner in New Delhi lodged an official protest over Prime Minister Nehru's "outburst."[4] Prime Minister Mohammed Ali in Karachi told the United Press that it was "absurd and ridiculous to think Pakistan with seventy-six million people would attack India with three hundred and forty million." He denounced Mr. Nehru's objections as "a manoeuvre to set up a position for India as the potential balance of power in Asia between the Eastern and Western blocs." In London, Foreign Minister Zafrullah Khan denied that the proposals under consideration included American bases in Pakistan and belittled Indian fears.[5]

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[1] *New York Times*, November 12, 1953. For the sake of simplicity, references are to the *New York Times* except in cases where the event concerned was not reported in the *Times* or the kind of coverage given in the cited publication is significant in itself.

[2] *NYT*, Nov. 12, 13, 1953.

[3] *NYT*, Nov. 16, 17, 18, 19, 1953.

[4] *NYT*, Nov. 22, 1953.

Meanwhile Prime Minister Nehru increased his public opposition to the proposal. He warned that it would "bring the cold war to India's borders," and that it would have "far-reaching consequences on the whole structure of things in South Asia."[6]

During his visit to Pakistan in early December, Vice President Nixon denied all knowledge of plans for military assistance for Pakistan. He stated: "It was not discussed in the National Security Council before I left Washington nor was it included in the State Department briefings given to me." Immediately upon his return, however, it was generally accepted that the Vice President was recommending military aid for Pakistan in his report to the President and the National Security Council.[7]

Next the protests shifted to the formal diplomatic level. On December 11, Communist China joined the USSR and India in a formal protest to Pakistan concerning the proposal to accept military assistance. Ten days later Sardar Najibullah, then Afghan Ambassador in India (who frequently issued foreign policy statements for the Government of Afghanistan), announced that his government was opposed to aid, which would turn Pakistan into a "colonial power." On December 19, Pakistan replied to the Russian protest, stating that it is "the duty of the Pakistan Government to take every step to safeguard the security of Pakistan and in the discharge of this paramount duty and all other duties that fall upon the Government, to adopt and take such measures as may appear appropriate and adequate." The note also called the attention of the Soviet government to statements by the Governor General and Prime Minister that there had "never been any question of granting military bases in Pakistan to the United States of America."[8]

India now sought new channels through which pressure might be applied to block the agreement. On December 16 Prime Minister Nehru ordered his Congress party to organize demonstrations throughout India against a Pakistan-U.S. alliance. On December 23 Sir John Kotelawala, Ceylon's Prime Minister, announced that he had proposed a meeting of Asian prime ministers to discuss the question of world peace. Mr. Nehru revealed at once that he intended to bring up "the dangerous step" the United States and Pakistan were taking at the meeting. During the last week in December India circulated a memorandum to friendly governments in the Middle East and the Commonwealth setting forth its objections to American military assistance for Pakistan. There is reason to believe that at the same time Indian diplomats throughout the world were instructed to exert their influence against aid for Pakistan. An attempt to persuade Canada to intercede with the United States was reported.

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[5] *Pakistan News Digest* (Karachi), Dec. 15, 1953.

[6] *NYT*, Nov. 16, 1953.

[7] *NYT*, Dec. 10, 14, 19, 1953; *Newsweek*, Jan. 4, 1954.

[8] *NYT*, Dec. 14, 20, 23, 1953.

The sudden development of a neutralist attitude in Cairo was attributed to the great personal influence exercised by Indian Ambassador S. K. M. Pannikar on General Naguib. Indian officials in the United States and the United Nations began to put out urgent private warnings to their friends that military support to Pakistan would cause permanent loss of India's friendship and push her into the Soviet bloc.[9]

Substance seemed to be given to the warnings by a series of Indian moves during December and January. A five-year bilateral trade agreement between India and the USSR was signed in New Delhi December 2. It included provisions for Russian heavy machinery and Soviet technical assistance. The sending of a team of government engineers to Red China to study flood control was announced December 14. The same day the Associated Press reported from New Delhi that diplomatic sources in the Indian capital had revealed that Soviet Ambassador Mikhail A. Menshikov had made an informal bid to discuss the sale of military equipment to India if the United States supplied arms to Pakistan. Long-stalled negotiations with Red China on the Tibet border were reopened at a conference in Peiking at the end of the month. Thirty Soviet artists arrived in New Delhi early in January as part of a cultural mission invited and paid for by the Indian government. On January 15 India denounced its seven-year-old Commercial Air agreement with the United States, and the right of American airlines to do business in India became subject to renegotiation.[10] Reports of a secret defense pact between India, China, and Russia were widely publicized in England and grew so strong that on December 31 the Indian Foreign Office was compelled to issue a detailed denial.[11]

Indian decision on many of these items, especially the trade pact and Tibet negotiations, obviously pre-dated the military aid argument. All were perfectly in accord with the established policy of working with both sides in the "cold war." The manner in which the new ties with the Communist nations were finalized and made public, however, suggests that the Indian Government was deliberately taking the opportunity to demonstrate that it could not be pressured into cooperation with the West by the prospect of American military support for its unfriendly neighbor, Pakistan.

As the controversy went on, Indian pressure was applied directly to Pakistan at her most vulnerable spot. At a meeting in August, 1953, Prime Ministers Mohammed Ali and Nehru had agreed to the appointment of a plebiscite administrator for Kashmir before April 30, 1954. Representatives of both governments began meetings in New Delhi December 21 to prepare the way for settlement of outstanding disputes and selection of an administrator. Considering the long and thorny background of the Kashmir dispute, the meetings went remarkably well, and at the end of the month it was reported unofficially that measures of agreement had been reached on everything except the identity of the plebiscite administrator and the disposition of troops during the plebiscite. At the end of the Delhi session, the meetings were shifted to Karachi. Shortly after the talks began, however, Prime Minister Nehru warned in a speech in the lower house of the Indian Parliament that "the whole context" of the August agreement on Kashmir "will change if military aid comes to Pakistan." On February 6 the Kashmir Constituent Assembly formally ratified the state's accession to India. After vigorous protests from Pakistan and criticism in the world press, an Indian official issued a statement that ratification "does not add anything to the previous position" and that "the Government of India were bound to the commitments made by it and stood by the offer of a plebiscite under suitable conditions." A week later, however, President Rajendra Prasad told a joint session of the Indian Parliament that American military assistance to Pakistan had "unfortunately come in the way of" pending negotiations on Kashmir.[12]

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[9] *NYT*, Dec. 17, 24, 25, 26, 1953; Jan. 2, 4, 1954. The Asian Prime Ministers' Conference was eventually held in Colombo April 27–May 1, 1954. The subject of American military assistance to Pakistan was not officially discussed, the other participants having refused to consider it a concern of the Conference.

[10] *NYT*, Dec. 3, 15, 1953; Jan. 5, 16, 1954.

[11] London *Times*, Dec. 31, 1953. The Sino-Indian Treaty on Tibet, which was subsequently signed on April 29, 1954, unconditionally turned over all Indian property in Tibet to China and granted the latter rights in the border area never before recognized.

In the past Kashmir has been the touchstone by which the Pakistani public judges almost all important policy issues. The coupling of negotiations with India on Kashmir with those with the United States on military aid posed a serious problem to Prime Minister Mohammed Ali. Pakistan began a series of carefully considered conciliatory gestures. On December 26, Mohammed Ali wrote the Indian Prime Minister describing the proposed arrangement with the United States as one which would increase India's security as well as that of Pakistan and saying that he could not understand why India was "bothered" about the proposals. On January 7, 1954 Foreign Minister Zafrullah Khan said that Pakistan would have no objections to the United States' giving India military assistance. "Why should we have any objections if India is in need of any equipment and can obtain it from a friendly state like the United States?," he asked in a Karachi interview. On February 5 Mohammed Ali revealed that he had written to Mr. Nehru suggesting a meeting to discuss the question of American military aid to Pakistan. He added: "I shall strive to convince Mr. Nehru that Pakistan's acceptance of military aid does not mean she has aggressive designs against India."[13]

While all this was going on, the United States officially said not a word. On January 2 Senator William F. Knowland, Republican Majority Leader, attacked "neutralist" Indian opposition to the military assistance proposal and called Pakistan "one of the key, important countries in the entire world in relation to the defense against Communism." On January 5 the situation took a new turn when it was authoritatively reported that a defense alliance among

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[12] London *Times*, Dec. 30, 1953; *NYT*, Dec. 22, 24, 29, 30, 1953; Feb. 7, 15, 16, 1954.

[13] *NYT*, Dec. 27, 1953; Jan. 8, Feb. 6, 1954. No such meeting between the two Prime Ministers ever took place.

Pakistan, Turkey, and Iraq was being encouraged by the United States.[14] On January 12 Secretary Dulles made his strong speech before the Council on Foreign Relations stating that American security policies were now based on the concept that the United States must confront any aggressor with "a great capacity to retaliate, instantly, by means and at places of our own choosing."

As the United States moved toward a decision, the lines of difference in South Asia became more obvious. Prime Minister Nehru reiterated his earlier refusal to accept military aid from anyone and proposed a series of non-aggression pacts among Asia's neutrals to keep them "free of some of the terrible trouble that is overtaking the world." He said that if Pakistan accepted American military aid, "she becomes progressively a war area and progressively her policies are controlled by others. To deny this has little meaning. Freedom recedes in Asia and the currents of history are reversed." Mohammed Ali's reply was: "We will refuse, refuse, refuse to be dictated to by anyone, including India."[15]

On February 7 it was reported unofficially that the National Security Council had approved military assistance for Pakistan. On February 19 came an official announcement from Karachi and Ankara that Pakistan and Turkey were working on a pact for the purpose of "strengthening peace and security in their interest." On February 22 Pakistan submitted a formal request for military assistance to the United States. Three days later President Eisenhower issued a statement approving the request and announcing negotiation of a Mutual Defense Assistance Program agreement with Pakistan. Included in the statement was the text of a letter from the President to Prime Minister Nehru reaffirming American friendship for India and offering a similar program of military assistance to that country.[16] Thus ended the story which had begun less than four months earlier.

II

Though the sovereign states still object strongly to any direct contact by the United Nations with the peoples of the earth, the technique is considered quite acceptable when practiced by the states themselves. Throughout their dispute over military assistance, both India and Pakistan were careful to frame their official words and actions with an eye to the effect they would have not only on the governments concerned but on public opinion within their own and each others' countries and in the United States.

Prime Minister Nehru continually emphasized his contention that the arming of Pakistan would bring the world closer to war. His suggestion that India might feel compelled to break off negotiations on Kashmir if Pakistan accepted American military aid was aimed at the man in the street in Pakistan, who has come to cherish success in Kashmir above all things. Indian statements carried a note of sadness and disillusion with a formerly friendly United States. Regret at the withering of old ties of affection and respect was aimed at liberals in the

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[14] *NYT*, Jan. 3, 6, 1954.

[15] *NYT*, Jan. 24, 25, 1954.

[16] *NYT*, Feb. 8, 20, 23, 26, 1954.

United States, who had long supported a free India and admired Nehru's idealistic policy. While the Prime Minister himself remained silent on the subject of the Soviet Union, lesser officials and influential Indians did not hesitate to point out that if the United States embraced Pakistan, India would have to turn to the Communist bloc.

The more critical of the United States India became, the closer Pakistan sidled up. Prime Minister Mohammed Ali, drawing on the liberal education in practical politics he had received while serving as Pakistan's Ambassador in Washington, went out of his way to be flattering. He publicly disassociated Pakistan from the Asian neutralist group, and rejected Chinese and Russian protests in language stronger than was deemed necessary by some of his Cabinet. He vigorously defended American activities in Asia, saying: "The United States desires only peace and its efforts should be appreciated; it is activated by a great good." He drew a parallel between the "power vacuum" which now exists in South Asia and the absence of military strength in South Korea which invited aggression there in 1950. He annoyed Scotland Yard and his own CID by requesting assistance from the FBI in clearing up the mystery which still surrounds the assassination of Prime Minister Liaquat Ali Kahn in 1951.[17]

These are not the things—or at least the repetition and multiplication of them are not—which influence governments directly. They do have an effect, however. India has always had more appeal in the United States than has Pakistan, and under the urging of a group of influential Americans, a ground swell of public opposition to a pact with Pakistan began to develop. In the early stages of discussion, Pakistani officials at home and in the United States had been quietly confident that their case was impregnable. Top American officials were obviously favorable and the Pentagon was actually enthusiastic. Planning was proceeding quickly and smoothly. As Indian pressure built up, however, official Washington remained silent except for conciliatory statements toward India. Pakistanis began to worry and cast about for a way of countering the trend in public opinion. Lacking an organized pro-Pakistan group in the United States, they were forced simply to remain silent and hope for the best.

From the very beginning, the role of the press was of primary importance. The first information that an American-Pakistani agreement was in the offing came in the *New York Times* dispatch already referred to. It was startling and unexpected news to students of international politics in South Asia and had all the earmarks of a deliberate "leak." Of the American papers which took a definite stand, the *Times* was the most important. It supported the aid program and gave heavy coverage to developments. During the four months from November, 1953 through February, 1954, the *Times* ran no less than nine editorials and eleven detailed analyses by its New York and Washington staff. Scarcely a day passed without a news story from Karachi or Delhi.

Naturally the press in India and Pakistan echoed the policy of the respective governments. Significantly, the violence of Prime Minister Nehru's opposition forced even the *Pakistan Times* of Lahore, a Communist-line paper whose editor is still in jail for his part in the "Rawalpindi Conspiracy" to overthrow the government in 1951, to defend Pakistan's freedom to accept aid from whomever she chose.[18]

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[17] *NYT*, Dec. 18, 20, 1953; Jan. 2, 1954.

The British press gave heavy coverage to events in India and Pakistan but paralleled the government in calling attention to Britain's interests in the area, weighing the pros and cons of the American effort, and avoiding a definite commitment until the American decision to go ahead became obvious.[19]

The deliberate "leak" was widely employed. The first news of the pact, "leaked" to the *New York Times* correspondent in Karachi November 1, was confirmed ten days later by "British informants" in London. The eventual announcement that the British government favored the pact was anticipated in a news story. That a Pakistan-Turkey alliance was in the making first came out in a reporter's despatch from Ankara. Though no announcement was ever made by the National Security Council, the *New York Times* was able to report flatly on February 8 that the proposal had been approved by the Council a few days before.[20] Exactly two weeks before President Eisenhower's announcement, the Karachi *Dawn* described with complete accuracy the agreement which had been reached and the way it would be made public.[21]

It is clear that in Pakistan and India public opinion was in almost complete agreement with government policy. American prestige in Pakistan was at its peak last spring and summer as a result of the gift of 700,000 tons of wheat, some of which was being delivered at the very time discussions on military assistance were taking place. Vice President Nixon, Secretary Dulles, and Senator Knowland were given overwhelming welcomes during their visits to Pakistan. Even H. S. Suhrawardy, bitter critic of practically everything the present government of Pakistan has done and leader of the subsequently successful United Front opposition to the Muslim League government in the East Bengal elections, gave public support to American military assistance.[22]

American objection to Indian support of Red China, bickering over the Korean POW's, United States leadership in the defeat of Madame Pandit's attempt to call a special session of the United Nations General Assembly to deal with the Korean peace conference, and departure from India of the popular Chester Bowles put a strain on American-Indian relations. Public anger rose under the hands of skilled Congress agitators. In ordering Congress into the fight, Prime Minister Nehru himself had been careful to insist: "There should be no condemnation of Pakistan in this matter, nor should there be any condemnation of the United States either as a country or as a Government, but the policy [of arming Pakistan] should be condemned as dangerous to world peace and to India." The unsophisticated masses tended to overlook such subtle distinctions. The leftist Bakshi government in Kashmir encouraged anti-American propaganda. Three thousand government ordnance workers at Cawnpore adopted a resolution calling for a boycott of American imports and the expulsion from India of all American technical personnel. Ten thousand people gathered in Gandhi Park in New Delhi to participate in a rally reminiscent of the great Congress demonstrations which shook British power. It included marching children, women, and caste groups. The marchers carried banners warning "Hands off Asia!" and listened to fiery party orators denounce the proposed agreement between Pakistan and the United States. Though Congress leaders declared that it had been necessary for them to initiate the agitation to prevent the Communists from seizing the issue and running away with it, the extreme right also threatened to take control. Master Tara Singh, Sikh leader, urged negotiation of defense pacts with China and Russia as an answer to American aid to Pakistan.[23] The possibility of defeat in provincial elections in the East Punjab and in Travencore-Cochin (a possibility that became a fact in the latter case) spurred the Congress to heightened appeal to public emotion. Criticism of this form of opposition was widespread in the outside world, however, and after the initial demonstrations Congress allowed it to taper off.[24] The resolution finally adopted in the Congress National Convention put forward objection to a military alliance between Pakistan and the United States but also described the latter as "a champion of freedom and democracy."[25]

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[18] *Pakistan Times* (Lahore), Dec. 22, 1953; Jan. 25, 1954 (editorials).

[19] *e.g.*, London *Times*, Jan. 12, 1954 (editorial).

[20] *NYT*, Jan. 26, 29, 1954; *New York Herald-Tribune*, Jan. 24, 1954 (Alsops).

[21] *Dawn* (Karachi), Feb. 13, 1954.

[22] *Statesman* (Calcutta), Feb. 27, 1954.

Strangely, it was only in the United States that government action does not seem to have been in accord with such public opinion as was expressed. A large majority of letters to the *New York Times* by experts on Asian affairs opposed military assistance for Pakistan.[26] In an article in *The New Leader* former Ambassador Chester Bowles gave weight to Indian warnings by questioning the wisdom of supporting 76 million people only to alienate 340 million. Speaking of the strategic implications of the pact, he said: "Instead of adding to the stability of the subcontinent, this will create new tensions and suspicions, and thus further contribute to its insecurity."[27] Mrs. Eleanor Roosevelt stated her opposition to arms aid for Pakistan at a meeting of the Citizens Conference on International Economic Union, and a letter signed by seventeen of the Union's leaders objecting to the assistance program was made public at the same meeting. Representative Emanuel Celler of New York objected strongly to the alliance in public appearances. Dr. E. Stanley Jones, well-known American missionary to India, was vocal in his opposition. Senator Knowland was the only public figure to give vigorous support to aid for Pakistan, though Senator H. Alexander Smith of New Jersey characterized India as "unduly apprehensive" about the arrangement.[28]

In spite of this opposition Washington carried through the aid pact. Public opinion apparently had little effect. The decision was made by State Department and Pentagon "professionals." With the negligible exception of Representative Celler, public opposition found no champion in government. It must be remembered that the decision was perfectly in accord with established U. S. policy on regional alliances. A general lack of knowledge about Pakistan in the United States, the speed with which events progressed, and the need to come to a decision before the heavy pressures built up by Pakistan and India for and against the alliance got out of hand, all made for the desirability of an "expert" decision rather than the "great debate" usually accorded to broader foreign policy proposals. Even so, the State Department's refusal to comment while the matter was under consideration drew criticism from highly diverse sources.[29]

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[23] *NYT*, Nov. 26, Dec. 17, 18, 21, 27, 1953.

[24] *e.g.*, *NYT*, Dec. 18, 22, 1953 (editorials).

[25] *NYT*, Jan. 24, 1954.

[26] Among them were Professor W. Norman Brown and three colleagues at the University of Pennsylvania, Dr. E. Stanley Jones, Norman Thomas, Zenas L. Potter, and J. J. Singh. Dr. F. S. C. Northrop and George Fielding Elliot registered approval of the pact.

[27] *New Leader*, Feb. 22, 1954.

[28] *NYT*, Dec. 16, 31, 1953; Jan. 3, Feb. 27, 1954; *Bulletin of the Foreign Policy Association*, Feb. 15, 1954.

Of passsing interest is the fact that no one, not even India, attempted to introduce discussion of the issue into the United Nations. This may be accepted as a pretty fair indication of the extent to which Articles 51 and 52 of the Charter, the "escape clauses" for regional alliances outside the world organization and action based on "the inherent right of individual or collective self-defense," have been accepted.

III

As has already been seen, the decison to support Pakistan was worked out almost entirely during the period November 1, 1953 to February 25, 1954. It was implemented with speed and precision during an immediately subsequent period of equal duration. In mid-March a military survey team under Brigadier General Henry F. Myers arrived in Pakistan to study arms requirements. General Myers had served in the American Embassy in Karachi a few years previously and was well acquainted with Pakistani military leaders. On April 2 Pakistan and Turkey signed their contemplated Treaty of Friendly Collaboration in Karachi. The government of Iraq announced on April 25 that the United States had approved its request for military assistance. In May General Myers and his team also did an evaluation of Iraqi arms needs. A Mutual Defence Assistance agreement between the United States and Pakistan was signed in Karachi May 19, at which time American Ambassador Horace Hildreth was already in Washington discussing the amount of aid to be given to Pakistan. During a three-day visit to Ankara in mid-June, Pakistani Prime Minister Mohammed Ali was present at ratification of the Turkish-Pakistani agreement of April 2. The next day it was made known that he had reached accord with Turkish officials on measures to implement the treaty. Within a few days, representatives of the General Staffs of the two countries met to develop a mechanism for military cooperation.[30]

The amount and kind of aid to Pakistan had not been made public at the date of writing, but it is to come out of $75 million left over from last year's assistance program. The initial grant is expected to be no more than $25 million for equipment and supplies. Pakistan has agreed that the arms will not be used aggressively and has committed itself to cooperation with the United States in control of trade with "nations which threaten world peace." Promises to participate in United Nations efforts for collective security and to supply to the

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[29] *NYT*, Feb. 28, 1954 (editorial); *Statesman*, Jan. 2, 1954.

[30] *NYT*, Mar. 10, Apr. 3, 26, May 20, 24, June 15, 1954. For texts of the two agreements, see *Middle East Journal*, Vol. 8, Pp. 337–38 (Summer, 1954).

United States strategic raw materials available in Pakistan are also included. There is no provision for American bases in Pakistan.

Since all discussions took place in secret, there is no way of knowing for certain the stages through which the program evolved. There are, however, indications of a trend toward moderation as negotiations went on, and the actual composition of the program as it finally emerges may well have been influenced by the vigor of India's protests. Original news stories described negotiation of a "military alliance" involving "exchange of air bases for military equipment." The cost of bringing Pakistan's fighting forces up to full potential was estimated at $250–500 million.[31] According to Indian sources in December, the assistance was to include two or three flotillas of destroyers, 3,000 aircraft, equipment for an armored division, and thousands of American pilots and technicians. Later it was reported that bases would not be granted outright but "facilities to be operated only in case of war" would be constructed.[32] The word "alliance" was soon replaced by "assistance" in discussion of the pact.[33]

President Eisenhower's statement approving military assistance for Pakistan began with a reference to the Pakistani-Turkish treaty as "a constructive step toward better ensuring the security of the whole area of the Middle East."[34] Subsequent approval of arms aid for Iraq and efforts to broaden the Pakistani-Turkish pact to include other nations indicate a shifting from emphasis on "plugging the South Asian hole" to "stabilizing Middle East defense." The latter is an older and more cherished aim of American foreign policy than the former, and will certainly influence the kind of military expansion to be undertaken by the new ally.[35]

IV

Thus, as far as this sphere of American strategic planning is concerned, India may become to a certain extent an extraneous element. From the time of Partition, the United States has looked toward cooperation with a mutually friendly India and Pakistan. In the early years American policy was directed primarily at solution of difficulties outstanding between the two nations. Many Americans continued to think of the whole subcontinent as a unit in the game of world politics. In the course of five years, two facts became evident: (1) India and Pakistan had emerged as distinct and separate states, each determined to go its own way, with little likelihood of early settlement of their conflicts, especially that over Kashmir; and (2) India's policy was becoming one of strict neutrality and she aimed at the spread of this policy over as much of Asia as possible. The choice forced on the United States was obvious, and even before the outbreak of fighting in Korea we had begun to move toward a new approach to the problem of South Asia. India's attitude during and at the conclusion of the Korean fighting and her growing neutralism, coupled with recognition and support of Red China, gave impetus to the American search for a different solution. Ambassador Bowles' close contact with Indian officials and his assurances of admiration and friendship temporarily checked the widening gap between Indian and American policies and smoothed the difference over in the public eye. With the advent of a Republican administration, a sterner, although still friendly, approach to India appeared, and Prime Minister Nehru's objections to all "cold war" maneuvering were not allowed to influence American foreign policy. The government and people of India, insufficiently aware of the undercurrents of the preceding years, were taken by surprise with the Pakistani-American overtures of late 1953. A feeling of outrage and betrayal was immediately evident. The very violence of Indian opposition put the United States in a corner as far as international prestige was concerned. Prime Minster Nehru's unqualified denunciation, while quite consistent with his own ideology, left the United States no "out." It had to bow to Indian pressure and drop all consideration of military aid to Pakistan or force it through in spite of Indian objections. As was quickly pointed out, rejection of Pakistani overtures would mean a death blow to American hopes for other Asian countries to join in defense measures with the West.[36]

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[31] *NYT*, Nov. 17, Dec. 20, 1953.

[32] London *Times*, Dec. 31, 1953.

[33] *e.g.*, *NYT*, Dec. 24, 1953 (Arthur Krock).

[34] *NYT*, Feb. 26, 1954.

[35] For a discussion of the implications for the Middle East of the new agreements, see James W. Spain, "Middle East Defense: A New Approach," *Middle East Journal*, Vol. 8, Pp. 251–66 (Summer, 1954).

From the American viewpoint, the "tying-in" of Pakistan with the world-wide defense scheme is perfectly consistent with established policy. President Eisenhower pointed out when he announced approval of it: "I have said repeatedly that regional groupings to ensure security against aggression constitute the most effective means to assure survival and progress." This echoes the foreign policy views of the previous Democratic administration. The American record to date has shown an eagernesss, at times almost unbecoming, to welcome any nation desiring "to stand up and be counted." Tito's Yugoslavia and Franco's Spain have been brought in. American planners pushing for greater defense efforts in Europe, Southeast Asia, and the Pacific must have been acutely aware of the effect on world opinion of a refusal to accept Pakistan, which came with a clean record. Such a move would inevitably be interpreted as signifying a change in United States policy. The most likely explanation would be that American fear of Soviet aggression had lessened and that it was no longer deemed necessary to continue defense planning at such a high intensity. If the fear of further alienation of already neutralist India was greater than the fear of Communist attack against a weak point in the defense ring, must not the "cold war" be tapering off?

The assumption from this is that the United States in the future will promote the development of leaders in the Middle East and support regional efforts at indigenous groupings around them rather than attempt to make separate bilateral arrangements with each country concerned. The need for defense preparations, particularly in the eastern part of the area, is made all the more acute by the almost certain existence of a growing source of hostile strength beyond the mountains to the north.[37] The effectiveness of the current steps can be judged from the series of sharp notes of warning sent by the USSR to Turkey, Pakistan, Egypt, and the Arab states in the third week of March, 1954. A

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[36] *NYT*, Dec. 10, 1953.

[37] *NYT*, Dec. 28, 1953; *New York Herald-Tribune*, Jan. 24, 1954.

Western-sponsored Middle East military pact, said Moscow, would be considered "an unfriendly and even hostile act" against her.[38]

American access to bases in time of war under formal treaty commitments presently stops in Saudi Arabia on the west and Korea and the Philippines on the east. No such commitment is included in the 1952 MDAP pact with Iran and the current one with Pakistan, nor is one likely to figure in any agreement signed with Iraq. Military planners tend to assume, however (and there is little reason to believe that they are not justified in doing so), that such facilities as might be available in Pakistan would be offered in case of a major war. This jumps the world-girdling circle another two thousand miles ahead in each direction to East and West Pakistan. When the range of modern military aircraft is considered, it is probably not rash to say that the circle has actually been closed.[39] Whatever may be the broader implications of Secretary Dulles' "instant retaliation" statement, it is likely that such action is now at least possible anywhere in the world.

It is seldom that a single action solves an entire problem in international relations, and there are still some question marks in this one. Burma and Ceylon, while being careful not to associate themselves with India's violent opposition to Pakistan, have shown no signs of rallying to the Moslem state as the focus of a new alignment in South Asia committed to the West. The lasting effect on Indian-American relations of the alliance with Pakistan connot yet be calculated. The only immediate reaction was Prime Minister Nehru's call for withdrawal of American members of the United Nations Commission on Kashmir and his statement that in the future India would rely less on foreign aid.[40]

Of incidental interest is a case of the "unintended effect" in international relations. President Eisenhower's letter to Prime Minister Nehru after aid had been approved for Pakistan was meant to be conciliatory. It offered a similar program of military assistance to India. Prime Minister Nehru had frequently stated his opposition in principle to the idea of military aid and received the letter in another light. Said he: "In making this suggestion, the President has done less than justice to us or to himself. If we object to military aid being given to Pakistan, we would be hypocrites and unprincipled opportunists to accept such aid ourselves." This echoed Indian reaction to President Eisenhower's earlier assurance that the United States would be most cautious about doing anything for Pakistan that might create "unrest or hysteria" in India. "We are not a hysterical people," responded an Indian Foreign Office official.[41]

The gears clashed again when it was revealed a few days after approval of military aid for Pakistan that a small team of American military technicians were already actually in India training Indian Air Force men in the operation of the U. S. C-119 "Flying Boxcar," twenty-six of which are being purchased by India, necessarily with the help of the United States government.[42]

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[38] *NYT*, Mar. 20, 24, 1954.

[39] *NYT*, Jan. 24, 1954 (see map).

[40] *NYT*, Mar. 2, 7, 15, 16, 1954.

[41] *NYT*, Mar. 2, 1954.

[42] *NYT*, Mar. 5, 1954.

British support for the Pakistan-United States-Turkey arrangement was late in coming and half-hearted at best. The extension of direct American influence into an area long an exclusive British responsibility and the shifting of the center of interest from Suez, where the British needed support against Egyptian demands for evacuation, to Turkey and Pakistan, where British interests are no longer strong, are apt to be sources of irritation to Anglo-American relations in the area. Formally, however, all was well. Anthony Eden in the House of Commons welcomed "reinforcement of the ties of friendship" between an ally, Turkey, and a member of the Commonwealth, Pakistan. A few days later when the U.S.-Pakistan agreement was announced, a Foreign Office spokesman expressed approval of "anything enabling a fellow member of the Commonwealth to make an increased contribution to the defence of the free world."[43]

One other lesson may be drawn from the events of November, 1953-February, 1954: seldom does anything in international relations move in a straight line. In the midst of recriminations, India and the United States signed a $20 million project agreement under the $89 million American aid program for the current year in India. While their two prime ministers were exchanging charges, India and Pakistan reached agreement on long-outstanding disputes over refugee bank deposits and division of railway equipment. Resumption of the Lahore-Amritasr rail connection, the tracks of which had been torn up after Partition, was also agreed upon. Although negotations eventually ended without sucess, the committee working out the terms of the August, 1953 agreement for a Kashmir plebiscite at one point reached greater accord than ever before.

It seems fair to conclude that the series of events discussed has contributed to the sharpening of certain important trends in international relations. Chief among these are: (1) the American effort to counter the threat of Soviet aggression by development of defensive strength on a worldwide basis continues and is increasing rather than decreasing in vigor; (2) for the achievement of this aim, the regional alliance rather than the United Nations is the main instrument; (3) the United States is acting strongly in opposition to the development of a neutral "third block" in world politics; (4) with less historical reason than its European allies, the United States has assumed responsibility for the organization of defense efforts in the Middle East (and indeed in all of Asia); (5) the focus of interest in that area is shifting from the Arab-dominated west to the Turco-Pakistani-dominated east; and (6) India has been further isolated from the West, and a severe blow has been dealt to her policy of neutralism for Asia and her aspirations for leadership of that continent.

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[43] *e.g.*, London *Times*, Jan. 12, 1954 (editorial); *Manchester Guardian* cartoon by Low reprinted in *NYT*, Mar. 14, 1954; Hansard's *House of Commons Debates*, Feb. 22, 1954, p. 14; *Dawn*, Feb. 26, 1954. After Anglo-Egyptian agreement had been reached on the Suez base, however, the London *Times* in an editorial of August 4, 1954 found itself able to refer to "the Karachi-Ankara axis, with its realistic attitude toward the power-vacuum in the Middle East, so attractive even to countries which [hitherto] hesitated to join it out of respect for Egyptian opinion."

MASS ORGANIZATIONS IN MAINLAND CHINA*

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One of the major causes of the success of the Chinese Communist party is its effective organization and indoctrination of the masses at the grass roots, primarily through a myriad of mass organizations. A study of these organizations in mainland China is significant for a number of reasons. First, in a country like Communist China where the degree of bureaucratization and centralization is high and where mass organizations serve in many respects as a principal medium between government and party policies and the people, the basic programs and policy shifts formulated by the leading organs of these organizations often indicate the direction of the political wind. Second, while details of decisions and deliberations made at meetings of government and party organs are painstakingly guarded, information regarding the programs, activities, and leadership of the mass organizations is more available. Third, by an examination of these mass organizations, we may, to some extent, evaluate the attitudes and reactions of different social classes and groups in present-day China and at the same time observe the techniques employed by the CCP in social communication and political indoctrination.

There are more than a score of mass organizations set up on a national basis (for information on some of these see Table I). The more important ones are the All-China Federation of Trade Unions (ACFTU), the New Democratic Youth League (NDYL), the All-China Federation of Democratic Women (ACFDW), the All-China Federation of Literature and Art, the All-China Federation of Democratic Youth, the All-China Students' Federation, the All-China Association of Industry and Commerce, the Sino-Soviet Friendship Association, and the peasant organizations. Due to their relative importance and the availability of information concerning them, the labor, youth, and women's organizations will receive primary attention in this discussion.[1]

I. ORGANIZATIONAL STRUCTURE OF THE MASS ORGANIZATIONS

The overall organizational principle governing almost all the mass organizations takes the form of what the Communists have labeled "democratic centralism." This Leninist concept of organization may be illustrated by the article on organization in the current Constitution of the ACFTU, which stipulates:

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* This is a revised version of a paper presented at the 6th Annual Convention of the Far Eastern Association at New York on April 15, 1954. The author is grateful for the suggestions made by scholars on China at that time and subsequently.

[1] For a previous article in English on mass organizations in mainland China, see A. Doak Barnett, "Mass Political Organizations in Communist China," *The Annals of the American Academy of Political and Social Science*, Vol. 277, pp. 76–88 (Sept., 1951).

TABLE I. INFORMATION ON TEN PRINCIPAL MASS ORGANIZATIONS IN MAINLAND CHINA*

Name	Head	Founded	Membership† (in millions)
All-China Federation of Trade Unions	Lai Jo-yü (CCP)	May 1, 1922	11
New Democratic Youth League	Hu Yao-pang (CCP)	April 11, 1949	12
All-China Federation of Democratic Women	Ts'ai Ch'ang (CC, CCP)	March 24, 1949	76 (1953)
All-China Federation of Democratic Youth	Liao Ch'eng-chih (CC, CCP)	May 4, 1949	21‡
All-China Federation of Cooperative Workers	Ch'eng Tzu-hua (CC, CCP)	July, 1950	120
All-China Federation of Literature and Art	Kuo Mo-jo (Leftest Writer)	July 19, 1949	
All-China Students Federation	T'ien Te-min (CCP)	March 6, 1949	3.3 (1953)
Children's Pioneer Corps of China		October, 1949	8
Sino-Soviet Friendship Association	Liu Shao-ch'i (Politburo, CCP)	October 5, 1949	68 (1953)
All-China Assoc. of Industry and Commerce	Ch'en Shu t'ung (Shanghai Industrialist)	October 30, 1953	

* A full list of the mass organizations in mainland China would need to include the All-China Federation of Natural Science Societies, Association for the Popularization of Science, Society of Political Science and Law of China, Society of Philosophy of China, Historical Society of China, New Economic Society of China, People's Association of Foreign Affairs, Association on Finance, Committee for the Promotion of International Trade, The Red Cross of China, The China Welfare Association, The China Relief Association, Committee on the Protection of Children, All-China Athletic Committee, Chinese People's Committee for World Peace, Buddhist Association of China, Islam Association of China, Association on Moslem Culture, Sino-Indian Friendship Association, and the Sino-Burmese Friendship Association.

† Estimated summer, 1954, except where indicated.

‡ Including 12 million Youth Leaguers

> (1) the leadership organs of trade unions at all levels shall be produced by democratic election from below and make periodic reports to members on the work performed; (2) trade union organizations at all levels must carry out their work in accordance with the Constitution and resolutions of trade unions; (3) all decisions of trade union organizations must be passed by majority vote of members present; and (4) trade union organizations at the lower level shall obey those of the higher level.

These provisions ensure that the leaders of the hierarchy have an effective control and veto power over the program and personnel at all levels under them. The individual members have some voice in the basic branches, such as a women's association in a village or a trade union in a factory. But at national, provincial, municipal, county, and district levels, authority is centered in the executive committee, or, in effect, in the chairman or secretary-general.

Legally, the highest authority in the mass organizations is vested in the national congress. The congress is scheduled to meet every three or four years but is generally convened at longer intervals. The duties and rights of the congress are usually (1) to examine and approve the reports of the central committee; (2) to examine and revise the constitution of the organization in question; (3) to discuss and define policy and current tasks of the organization; and (4) to elect the central committee. During the recess of the congress, authority is vested in the central committee or, as it is called in some mass organizations, the executive committee. However, since the central committee meets only about twice a year, the real loci of power are the standing committee (called presidium in some organizations) and the central secretariat.

The division of labor in the leading organ and the nature of its major activities may be seen in the organizational structure of the Standing Committee of the ACFDW, though there are, of course, certain modifications in the case of other mass organizations. The women's federation has departments for urban work, rural work, propaganda and education, women and child welfare, international liaison, and publication, in addition to secretarial and personnel bureaus and an administrative office. The Central Secretariat is defined as an organ to "take care of routine business under the direction of the Standing Committee." However, an examination of the membership of the secretariat of many leading mass organizations reveals that this organ invariably includes the most powerful figures in the organization, most if not all of them party members. Thus a standing committee may take in some non-party members in a display of "united front," but the actual planning and direction of major policies will be done in the more exclusive and compact central secretariat.

Aside from membership in the central secretariat and, of course, the chairmanship and vice-chairmanships, other key posts in a mass organization are the head of the organization department and the chiefs of the planning bureau and the personnel department in the standing committee. These vital positions are, as a rule, occupied by party members.

A general trend in the structural aspect of these leadership organs, noticeable during the national congresses of the major mass organizations in the summer of 1953, is the expansion in size of both the central and the standing committees. For example, membership of the Central Committee of the ACFTU increased from 51 in 1949 to 98 in 1953; that of the NDYL, from 45 to 143; and that of the ACFDW, from 55 to 125. The number of members of the Standing Committee or Presidium in the labor federation increased from 14 to 24; in the Youth League, from nine to 21; and in the women's federation, from 17 to 25. This phenomenon is probably a reflection of both the rapid increase in membership and the party's technique of absorbing new and younger cadres into the hierarchy.

The organizational features of these mass organizations at the regional and local levels follow the general pattern of the national organs. The supreme authority is theoretically vested in the congresses at the regional, provincial, municipal, county, district, and village or street levels, but the actual power is wielded by the executive committee, or rather its chairman and secretary. On the other hand, this does not necessarily mean that these few leaders are the only ones working for the organization. On the contrary, maximum participation in the activities of the organization is constantly urged on the members, who are offered both material and psychological incentives to carry out the programs. The regimented and crowded programs must be exhausting to many members, but they also serve as new channels for releasing the latent energy of numerous persons who, in traditional China, had little or no opportunity to participate in group activities.

Numerically, the mass organizations in Communist China have shown swift development since the formation of the Central People's Government on October 1, 1949. The total membership in the leading organizations, as last reported in the summer of 1954, is as follows: 11 million in the trade unions; 21 million in the federation of youth, including 12 million youth leaguers;[2] 76 million in the women's federations; three and a half million in the students federation; and 88 million in the peasants' associations. Even children between seven and 15 have been organized into a Pioneer Children's Corps, which has a membership of eight million. The total number of people controlled and influenced by the major organizations, allowing for duplications, would probably exceed half of the adult population in China. Qualitatively, however, such galloping expansion in organization cannot but have an adverse effect. This was admitted by Hu Yao-Pang, new chairman of the Youth League, when he made the statement in July, 1953 that:

> In some places, numerical strength is overemphasized in the expansion of the League; thus the requirement [for membership] is lowered. As a result, some members do not possess the necessary qualifications and a few undesirable elements have infiltrated into the organization. . . . [3]

Many problems appear to have derived not merely from the lowered standards of membership, but from the intrinsic character of Communist organization, although this may not be recognized by the party leaders. For example, Li Ch'ang, fourth ranking member of the Youth League, complained at the Congress last year that:

> The phenomenon of deciding important problems by a secretary alone or a few committee members without discussion at League committee meetings must be rectified. . . . League discipline will absolutely oppose and resolutely correct the acts of a few cadres who show an indifferent attitude to, or even suppress, criticisms by retaliating against the critics.[4]

Li and other party leaders may fail to realize the fact that as long as the concept and practice of Leninist elitism prevail, there is little institutionalized check to prevent arbitrary decisions by the leaders. So long as the power of decision is concentrated in the hands of a few, ordinary members will often be reluctant to assume initiative and offer suggestions, although theoretically they are encouraged to do so.

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[2] See Hu Yao-pang, "Call to China's Youth to Build Socialism," NCNA, Peking, May 4, 1954.

[3] Hu Yao-pang, "Rally the Nation's Youth and March Courageously toward National Construction," Report to the 2nd Congress of the NDYL, *Jen-min jih-pao* [*People's Daily*, *JMJP*], July 6, 1953, p. 3.

[4] Li Ch'ang, "Report on the Revision of the Constitution of the NDYL of China," *JMJP*, July 7, 1953, p. 3.

II. LEADERSHIP IN THE MASS ORGANIZATIONS

The roster of leading personalities[5] in the mass organizations of mainland China is available in a number of English sources, such as the *Current Background* materials issued by the American Consulate General in Hong Kong and S. B. Thomas's *Government and Administration in Communist China*, published by the Institute of Pacific Relations in November, 1953. This article will merely present some comments on a few significant points in the leadership of these mass organizations.

The Dominant Position of Party Members and the Question of Intra-Party Struggle. The first and most obvious aspect is the dominant position occupied by CCP members in the leadership of the major mass organizations. Although party cadres in every mass organization are in the numerical minority, they hold most of the key positions and are able to exercise a decisive influence. For example, the chairman of the women's federation is Ts'ai Ch'ang, regular member of the CC, CCP. The All-China Federation of Democratic Youth is headed by another CC member, Liao Ch'eng-chih. The chairman of the Sino-Soviet Friendship, which has a reported membership of 68 million, is Liu Shao-ch'i, heir apparent to Mao Tse-tung. Lai Jo-yü, who replaced Ch'en Yün (a member of the Politburo) and Li Li-san as the boss of the labor organization, and Hu Yao-pang, who replaced Feng Wen-pin as head of the Youth League, are both veteran party men, although they are not well known to people outside of Communist China.

In the light of the personal background of Ch'en Yün and Li Li-san, this abrupt change of leadership naturally raises the following questions: (1) Is it a part of a general party purge? (2) Does it represent a split in the top command of the CCP, since Ch'en Yün is a ranking member of the Politburo? (3) Could it be an indication of an open friction between Peking and Moscow? (4) Does it symbolize a struggle for power among CCP leaders?

So far as available data show, the answer to the first three questions at this moment is in the negative. From the *1953 Jen-min shou-ts'e* [People's Handbook of 1953], published in Tientsin in July, 1953, and the *1954 Shih-chieh chih-shih shou-ts'e* [Handbook on World Affairs, 1954], published in Shanghai in March, 1954, we find that both Ch'en and Li retain important party and government posts. Ch'en Yün is still holding all his major positions. Li Li-san is serving in half a dozen jobs which, unlike those held by Ch'en, are important but not vital. These jobs include: (1) member (one of 62), Central People's Government Council; (2) member (one of 55), Financial and Economic Committee, CPG;

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[5] For names of the heads of 10 major mass organizations, see Table I.

(3) vice-chairman (one of 5), Committee on Employment, CPG (of which Lai Jo-yü, new Chairman of the ACFTU, is a member); and (4) member, Executive Committee, Sino-Soviet Friendship Association. Recent news bulletins from China also show that Ch'en is politically active in 1954,[6] although Li seems to fade away more and more. The above facts seem to negate the supposition that the sudden shift of top leadership of the ACFTU in May, 1953 represented a general party purge or a break among some members of the party hierarchy. Moreover, the prestige of Mao Tse-tung is so great and personal relations of the politburo members so close, that it is hard to envisage any serious rupture now in the top command of the CCP. The continuously close economic and political relationship between the USSR and China does not seem to suggest any open disunity between Peking and Moscow at this moment.

Interlocking Directorship in the Leading Organs of the Mass Organizations. The second salient characteristic of the leadership of the mass organizations is its interlocking nature in the leading organs. A dozen or two familiar names crop up often in a number of organizations. For example, Liao Ch'eng-chih (CC, CCP) is found to occupy the following posts concurrently: Chairman, Federation of Democratic Youth; Vice-Chairman, Youth League; Vice-Chairman, National Committee for the Protection of Children; member, Standing Committee, Committee on World Peace; and member, Executive Committee, Sino-Soviet Friendship Association. Hu Yao-pang, chairman of the Youth League, is also on the Executive Committee of the trade union federation and several other organizations. This is the case not only with top leaders like Liu Shao-ch'i, Kuo Mo-jo, Soong Ching-ling, and Li Te-ch'üan, but also with some middle-echelon cadres. Ho Chien-hsiu, the famous model textile worker, for example, was elected to the executive committees of youth, labor, and women federations. Since 1953, especially after the anti-five-too-many movement (i.e., against too many tasks, too many meetings, too many documents and forms, too many organizations, and too many concurrent posts for the cadres) launched in July, 1953, the cases of duplicated directorship in the mass organizations in the lower echelons have manifestly been reduced. Lists of current members of the leading organs of the major mass organizations already show considerably less duplication in names, compared with those elected at the first congresses in 1949. There also seems to be a tendency to put party cadres with administrative experience in charge of the leadership of the mass organizations. Both Lai Jo-yü and Hu Yao-pang, for example, served as regional administrators before becoming the heads of the ACFTU and NDYL, respectively.

The Process of Recruiting and Training Cadres in the Mass Organizations. Top attention is being paid by the mass organizations to recruiting and training the activists among the members as future leaders of the organizations. Special schools for training and indoctrination were set up by the leading mass organizations. For example, some 50,000 persons graduated in 1953 from 60 cadre schools of the trade unions, and 15,000 persons were sent by the basic trade union branches to the party, government organs, Youth League, and trade unions at higher levels to serve as cadres.[7] In the case of the Youth League, up to June, 1953, 550,000 cadres completed their training in 31 League Schools. The major indoctrination center is the Central League School, established in 1949 at Peking. Between April, 1949 and June, 1953, more than a million leaguers became party and government cadres; among these 40,000 served in posts above the ch'ü (district) level.[8]

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[6] In a speech commemorating the anniversary of Stalin's death on March 5, 1954, Ch'en Yün stated that socialism could install itself in one country at a time, and that this policy would require Communist parties in other countries to make a temporary but necessary retreat when one socialist country (such as the USSR between 1921 and 1941) built up her strength peacefully. Chinese text in *JMJP*, March 6, 1954, p. 1; see also *Christian Science Monitor*, March 9, 25, 1954.

A concrete example of recruiting and training local cadres can be seen in the case of T'an Ch'un-hua, a much publicized cadre of the women's federation. T'an is a young peasant woman of Kiangsi province. She led the women of her village to join in dike repair work in May, 1949, thus saving the district from flood. Since then she has taken an active part in all agrarian programs sponsored by the Peking government, such as elimination of insect pests, anti-drought work and redistribution of land. She was repeatedly given material rewards, as well as public recognition. In 1950, she was put in charge of the women's work in her village and in June, 1952, she became the chairman of the federation branch in the entire district. She was sent to a short-term training course in the county seat in August, 1952, and was admitted to the CCP in September. At the end of 1952, when the Sixth People's Representatives' Conference of the county where she resides was convened, she was elected a deputy magistrate. In July, 1953, a story about her appeared in the *Hsin-Chung-kuo fu-nü* [Women of New China], organ of the Federation of Democratic Women; another biography may be found in *People's China.*[9] Thus the mass organizations are instrumental in absorbing the more active elements among the people as their cadres, eventually enrolling them in the service of the government and party.

The Non-Party Leadership in Professional and Scientific Organizations. As an exception to the rule, many scientific and cultural societies are headed by professional, non-Communist scholars. For example, the All-China Federation of Natural Science Societies is headed by Dr. Li Szu-kuang, British-educated geologist. The chairman of the People's Association of Foreign Affairs is Professor Chang Hsi-jo, who received his Ph.D. at Columbia University in the twenties. These facts suggest (1) a shortage of top-flight specialists among party members at this moment; (2) a continuation of the party's policy of utilizing the talent and prestige of non-party experts; and (3) support of or acquiescence in the programs of the party by many leading Chinese intellectuals.

[7] Reported in *Ta-kung pao,* Tientsin, May 1, 1954, p. 2.

[8] Hu Yao-pang, *op. cit.* p. 3.

[9] Hsia Han, "Peasant Women T'an Ch'un-hua Became a Magistrate," *Hsin-Chung-kuo fu-nü* [Women of New China], No. 7, 1953, July 9, 1953, pp. 18–19; and *People's China,* May 16, 1953, p. 30.

III. PROGRAMS AND FUNCTIONS OF THE MASS ORGANIZATIONS

Mass Organizations as Instruments for Propagating and Implementing Governmental and Party Policies. As mentioned previously, programs of the mass organizations not only reflect the policies of the government and party, but also serve as vehicles for their propagation and implementation. Mass organizations played a key role in such major movements as the agrarian reform, the campaign to increase production and practice economy, the three-anti and five-anti movements, among others. At this moment (Summer, 1954), the activities of the mass organizations indicate that five major programs are currently receiving top attention by the government and party: (1) the first five-year plan and production-increase movement in industry and agriculture;[10] (2) the election of people's congresses to form eventually the All-China People's Congress and to promulgate the national constitution in the autumn of 1954 (see below); (3) the popularization of education, especially the training of technicians and the elimination of illiteracy,[11] (4) the recruitment of youth with secondary or college education for the military academies; and (5) the acceleration of the socialization of the economy, as evidenced by the publishing of the "new general line of the state."

The first four programs are well known and some of them have been discussed in other publications. The fifth program, the "new general line of the state," is worth discussing here, not only because it is getting top billing in all the mass organizations in mainland China, but also because it has tremendous political significance. The editorial of the *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth] of New Year's Day, 1954, states that "the general line of the state during the transitional stage, and the basic tasks of the first five-year plan which implement concretely this general line, are the direction and goal of our action." Similar statements can be found in the publications of other mass organizations.[12] Some observers interpret the new line as a bugle call for the liquidation of private industry and commerce and an all-out effort for collectivization of farms. To evaluate such a conclusion, we must first ascertain what this "general line" is.

The first official proclamation of the general line is found in an editorial of the *Jen-min jih-pao* [People's Daily] of October 1, 1953, which, in answer to the question "what is this general line of the state during the transitional stage?," writes that:

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[10] Particular emphasis is assigned by all mass organizations to the promotion of technical innovations in industry, to organized farming, and to emulation contests. For detailed examples, see Youth League's Directive of May 4th, *JMJP*, April 10, 1954, p. 1; editorial in *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth], April 15, 1954; and editorial in *Hsin-Chung-kuo fu-nü* [Women of New China], Feb. 28, 1954.

[11] The Committee to Eliminate Illiteracy, set up on November 20, 1952, plans to remove illiteracy among employees in government organs before 1956, among industrial workers before 1957, among young peasants and workers before 1960, and among all the populace within 10 years. Literacy is defined by the Committee as the learning of 2,000 Chinese characters, knowledge of phonetic symbols, and the ability to write short essays of 300 to 500 words.

[12] For some examples, see Tung Pien, "Educating the Young Rural Women to Serve Contentedly in the Socialist Reform Work in Agriculture," *Hsin-Chung-kuo fu-nü* [Women of New China], No. 52, Feb. 28, 1954, pp. 8–9; and editorial, "Educating the Rural Youth on the General Line [of the State]," *Chung-kuo ch'ing-nien*, Vol. 131, Feb. 16, 1954, p. 1.

> The answer to this question is given in one of the slogans commemorating the 4th Anniversary of the Founding of the People's Rep. of China promulgated by the National Committee of the CPPCC (on the eve of October 1, 1953). It (the slogan) says that "we must, over a considerably long period of time, gradually carry out socialization and industrialization of the nation, gradually realize the socialist reform of agriculture, handicrafts industry and private enterprise." This great and glorious historical task is laid down in principle in the *Common Program* (of September 1949). But after the development in the actual livelihood of the people in the past four years, the task has now become more concrete. . . .

Another significant passage, in an article by Teng To, states that "the new democratic society is the transitional form within the framework of which takes place the gradual transition to Socialism."[13]

These official interpretations of the "general line" seem to indicate that it signifies a stepping up of the tempo of socializing industry and agriculture through greater governmental control of major enterprises and more extensive organization of agricultural producers' cooperatives. However, it is doubtful whether one may go so far as to say that this new line announces the termination of the New Democratic stage in China and the beginning of the socialist era. The party obviously still considers the present period a transitional one. Although the practical effect depends a great deal on the degree of intensification of the socializing measures, this theoretical difference is a basic one and has important application in practical programs. Liu Shao-ch'i, discussing the same problem in his report to the 4th Plenum of the CC in February, 1954 stated:

> The propagation of this general line by the Party has resulted in its enthusiastic support by the overwhelming majority of the people, in the absolute superiority of the socialistic thought in the nation, and in a severe criticism of the bourgeois ideology.

This clearly indicates the psychological functions assigned to this general line. By emphasizing the theme that China is advancing toward socialism in a transitional stage, the party aims to convince the population, especially the private entrepreneurs, individual peasants, and cadres, that their individual interests must be subordinated to this overall goal and that any resistance to organized farming or state control of economy is against the tide of the time.

An example of this policy is seen in Article 10 of the Draft Constitution, which states that "the state protects the ownership of means of production and other property by capitalists according to law. The policy of the state toward capitalist industry and commerce is: to use, restrict and transform."[14] In agriculture, the right of peasants to own land and other property is also safeguarded in the 1954 Draft Constitution.[15]

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[13] "China's General Line of Transition to Socialism" *People's China*, January 1, 1954, pp. 5–9.

[14] *New York Times*, June 18, 1954, p. 3. Chinese text in *China Daily News*, New York, June 22, 1954.

[15] Article 8. See *Christian Science Monitor*, June 18, 1954, p. 17.

Welfare and Cultural Programs of the Mass Organizations. In addition to the above general programs, each mass organization maintains a series of welfare and cultural activities. One example is the labor insurance program managed by the trade unions. It provides various benefits such as sick leave with pay, 56-day maternity leave with pay, free medical treatment, and pensions. According to Communist data, the Peking government spent more than 63 million US dollars for labor insurance in 1952 and 4.2 million workers came under such protection at the end of 1953. On the other hand, there are reports that labor insurance funds were improperly used in some cities and that a few unions accumulated great amounts of insurance funds without doing much for their members. Other reports maintain that more than 1,344 sanatoria, 1,566 nurseries, and 4,072 workers' clubs were established by trade unions at the end of 1953 (figures do not include those in Central-South China).[16] In 1952, about 115 million US dollars were spent in building living quarters to accommodate a million workers. According to the reports of the women's federation, women in China are enjoying opportunities to join literacy classes and to go on to advanced studies, as they never could before. In 1952, women reportedly constituted about half of the 50 million students in winter schools in villages and 24 million pupils in spare-time schools for peasants. In the Spring of 1953, there were some 30,000 maternity hospitals and stations, and 269,000 mid-wives received modern training. At the end of 1952, there were 2,738 nurseries in the government organs, 4,346 street nurseries in the cities, and 148,000 "baby-sitting" groups in the rural areas. The last group took care of a reported 850,000 children, and about 21,000 nursery attendants had been trained by the summer of 1953.

The welfare program of the mass organizations is implemented by cultural and recreational activities which are simultaneously utilized as instruments for political propaganda and indoctrination. According to a report of the federation of trade unions in 1953, their Workers' Publishing House published, from September, 1949 to March, 1953, 339 different kinds of books and periodicals, totaling more than 35.5 million volumes. Under the joint sponsorship of the trade unions and the government, 16,277 spare-time schools were set up with a total enrollment of 3,087,000 workers, and 535,000 illiterate workers learned to read and write. More than 6,000 libraries were set up by the trade unions by the end of 1953.

The progress reports of these mass organizations do not necessarily, of course, depict the actual situation. Due to lack of neutral observation and studies, the statistical data cannot be checked. It is true that the various mass organizations are likely to try to win greater popular support by sponsoring programs that are needed and welcomed by the masses. However, there can be a gap, and sometimes quite a wide gap, between the plans and the actual results, or between the intentions and the achievements, of any organization.

Other Major Functions of the Mass Organizations. The leading mass organizations carry out a number of other major functions. (1) They provide multitudes of non-Communists, particularly members of a dozen or so "third parties," with channels to release their energy and ambition. This involves little political risk to the Communist party because the key positions in the mass organizations are generally in the hands of party members and their programs follow closely those mapped out by the CCP. The United Front Department in the CC, CCP, headed by Li Wei-han, often plays a major role in deciding what part third party personnel should play in the mass organizations. (2) They perform a key function in the security system of Communist China. Members of the labor, youth, and women's organizations are active in the village militia system, committees on public security, and the "movement to suppress counter-revolutionary activities." (3) A number of mass organizations maintain close liaison with their respective Communist-dominated international bodies and often carry out programs coordinated by these world organizations. For example, the Preamble of the Constitution of the ACFTU concludes with this paragraph:

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[16] *Ta-Kung pao*, Tientsin, May 1, 1954, p. 2.

> The trade unions of China must constantly educate the workers in internationalism and actively take part in the international working-class movement.

There is constant exchange of emissaries between the Chinese labor, youth, and women's organizations and their world-wide counterparts like the World Federation of Trade Unions, the World Federation of Democratic Youth, and the World Federation of Democratic Women. (4) Mass organizations also help to create a climate of opinion in China which facilitates the implementation of party or government platforms. A passage in the Directive on the Celebration of the Youth Festival, issued by the Youth League on April 8, 1954, illustrates this point. The League's Central Committee instructed that:

> The League branches in various localities must utilize all forms of propaganda media like newspapers, League tabloids, radio, etc., to publicize the advanced work methods and experience of young model workers and League members. Through such propaganda, the youth will be encouraged to work harder and learn more, and the League's work will be understood and helped by different strata of the society.[17]

IV. CONCLUDING COMMENTS

This last section attempts to depict some of the salient characteristics, trends, and problems of the mass organizations. Many supporting data must be omitted because of space limitations.

The Predominantly Political Character of the Mass Organizations. It has been shown previously how the mass organizations serve as means of propagating governmental and party policies. In fact, many organizations seem to be set up primarily to fulfill political functions. This is clearly manifested in the article on the duties of members in the Constitution of the ACFTU, which includes the obligation "to observe state laws and regulations, to preserve labor discipline, to protect public properties, and to make good efforts at political, technical and cultural studies to raise [the workers'] class consciousness and working ability." This makes all workers, including those employed by private enterprises, virtually government employees. Some of the larger mass organizations are in effect quasi-governmental establishments. They often receive government assistance, both tangible and intangible, in the form of a building for headquarters, favorable rates in telecommunication messages, and a voice in the local administration. In the management of many key government tasks, the leading mass organizations share an important role with the government, such as the current election of delegates to the people's representatives' congresses at various levels. In fact, the Election Law promulgated on March 1, 1953 explicitly states that:

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[17] *JMJP*, April 10, 1954, p. 1.

> The Communist Party of China, the various democratic parties, the various people's organizations and electors or representatives who are not affiliated with the above-mentioned parties or organizations, may all nominate candidates for election as deputies either jointly or separately according to electoral districts or electoral units. (Art. 47).

The results in the elections of the *hsiang* (village) and *ch'ü* (district) people's congresses completed in mainland China thus far show that activists in the labor, youth, and women's organizations occupy a high percentage of representation in the local congresses.[18] Another report indicates that delegates from youth organizations constituted about seven per cent in the municipal people's representatives' conferences in the 12 leading cities of China in 1953.[19] It goes without saying that an organization that does not have the approval of the government cannot legally exist.

Emphasis on Propaganda and Indoctrination. Closely integrated with the effort to promote government programs by the mass organizations is the top attention paid to propaganda and indoctrination work. Here we may quote a report of Lai Jo-yü to the 7th Congress of the Trade Unions last summer:

> The trade unions in the past few years have consistently educated broad masses of workers in the spirit of patriotism and internationalism. Particularly during the last year (1952) many trade union organizations have, in a comparatively systematic way, carried out Communist education among the workers and have repeatedly explained the identity of individual and state interests, thus establishing among them a correct attitude to labor and a strengthened labor discipline based on their consciousness and understanding that they are masters of the state.

The first duty for members listed in the Constitution of the Youth League is "to study Marxism-Leninism and Party policies and propagate them among the masses of youth."

The effectiveness and results of these propaganda and indoctrination programs, which vary with the specific issues and localities, and with the skill of the propagandists and the nature of the audience, are difficult to establish. One report revealed that there were about three million propagandists organized in mainland China in 1953. Some of the factors deemed essential to effective propaganda are listed in a booklet entitled "How to Set up Propaganda Work," issued by the Federation of Trade Unions. They include the following points: (1) the contents of the propaganda must be tied in with actual conditions and problems of the workers; (2) close contact must be maintained between the propagandists and their audience in order to locate the latter's needs and interests; (3) fresh and lively materials should be supplied to the propagandists by the party and the management; (4) propagandists should be given proper training and status; (5) the media and style used to convey propaganda must be familiar to the audience; and (6) leading cadres should give personal attention to propaganda work.

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[18] See Hsiao Feng, "Election in the Countryside," *China Reconstructs*, March-April, 1954, p. 16; "Successful Conclusion of Basic Elections in the Various Regions," *JMJP*, April 28, 1954, p. 3; and "Reports on Basic Election in Rural Districts," *JMJP*, Feb. 20, 1954, p. 3.

[19] Liao Ch'eng-chih, "Struggle for the Safeguarding and Construction of Our Fatherland," Report to the 2nd Congress of the All-China Federation of Democratic Youth, June 10, 1953.

Another example of the indoctrination technique at the basic level is seen in an article entitled "How Can a League Branch Secretary Establish Good Relations with the Masses."[20] It points out, among other things, that a branch secretary should win the confidence of the members of his cell by discovering the concrete problems that are bothering them, by learning from the merits of each member, and by making frank self-criticism to both Leaguers and non-Leaguers of his locality. The importance of having the propagandists give concrete illustrations, solve the pressing problems of the audience, and perform exemplary deeds is emphasized in many directives of the mass organizations.[21]

Technique of Organization and Social Communication. Another characteristic of the activities of the mass organizations is the practical and realistic approach to tackling issues and solving problems. These techniques of organization and social communication constitute a major factor for the success of many organizations and the party. For example, a directive issued by the Youth League on organizational method states that:

> The work style and group life within the League must not rely on abstract political talk, nor the preaching of dry dogma. The League should use Marxism-Leninism to analyze correctly and solve the problems that are closely related to the interests of the youth such as the following: the problems of wages, health, job, sports and recreations, learning scientific knowledge, raising the cultural standard, tuition fees, student loans, examination system, love and social activities, family affairs, methodology in learning, books and texts, and the suitable distribution of time for work and for study. . . . All the meetings convened by the League for youth must be lively and concrete. . . .

Another report on "Experiences in the Mobilization of Women during the

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[20] *Chung-kuo ch'ing-nien pao* [Journal of Chinese Youth,] April 3, 1954, p. 2.

[21] For concrete examples on basic-level indoctrination and propaganda techniques, contents, and problems, see *Tsen-yang chieh-li hsüan-ch'uan-wang* [How to Set Up a Propaganda Network] (Peking, May, 1951); *Tsen-yang ts'o hsüan-ch'uan-yüan* [How to be a Propagandist] (Peking, May, 1951); *Kung-ch'ang chung ti hsüan-ch'uan ku-tung kung-ts o* [Propaganda and Agitation Work in the Factories], Shanghai Labor Federation, Oct., 1950; and *Fu-nu kung-ts o shou-ts'e* [Handbook on Women's Work], ACFDW (Shanghai, May, 1951).

Agrarian Reform," issued by the women's federation, contains the following statement:

> In the mobilization of rural women, work should be carried on simultaneously among the young, the middle-aged, and the old, in order that the merits of each age group may be fully utilized. For instance, the young women are easier to mobilize and can serve as spearhead in the movement; the mature women are steadier and possess good ideas, and once they are convinced, they are more firm and tenacious; the old have suffered more and are more experienced. They often become the leaders in the "speak bitterness" movement.

Directives of the mass organizations frequently quote cases to show their members how some model cadres successfully accomplish their mission by using practical approaches to programs and by consulting the local people.[22] Numerous psychological techniques are used in propagating the programs of the mass organizations. Many cherished values such as security, national honor, prosperity, peace, and personal prestige are utilized to persuade the members as well as the audience. Those who succeed in carrying out the assignments of the organization for some difficult mission are given material rewards and public recognition. Various media, both traditional and improvised, are used to disseminate propaganda and stimulate enthusiasm among the masses. The tremendous psychological impact made by these media, though hard to measure, cannot be exaggerated.

In conclusion, it must be pointed out that the activities and impact of the mass organizations should be viewed and analyzed not in isolation, but as an integrated whole. The programs of all the mass organizations are, of course, closely coordinated and their specific problems often represent different facets of broader issues. With regard to the effect and influence of these organizations, it will be noted that the whole is often more than the sum of its parts. The all-encompassing impact of mobilizing a quarter of a billion people of various social classses simultaneously is incalculably greater than that of activating the same number one million at a time or social group by social group. It is also important to appreciate the psychological effect of the mass movement on the individual person. Although it is desirable to organize and evaluate data as cool-headedly as possible, it is imperative for one to keep in mind the human aspirations and frustrations that are generated or manipulated by these mass organizations, even if they are not shared or fully understood. One simply cannot afford to minimize the revolutionary impact and long-range significance of movements which embody the emotions and reactions of millions of human beings.

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[22] For details and examples of organizational methods at the grass-roots level, see *Ch'eng-shih fu-nü chi-chi feng-tzu ch'iao-ts'ai* [Text-book for Activists in the Urban Women's Movement], ACFDW (Peking, 1954), and *Hsüeh-hsi wu-san kung-ch'ang kung-hui kung-tso ching-yen* [Learn the Working Experience of the Trade Union in the Wu-san Factory] (Hankow, 1953).

REVISIONIST OPINION IN POST-TREATY JAPAN*

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Over two years have passed since the Japanese peace treaty came into effect and Japan once again embarked on a relatively independent course. In view of the unprecedented scope and method of the Allied Occupation, many divergent postaudits can be expected to emerge in the near future dealing with the relative success or failure of Occupation reforms and with post-treaty revisions made by the Japanese government.[1] Such studies can be valuable for the understanding both of Japanese domestic politics and of American policy toward Japan.

It is the purpose of this paper to analyze some results of a two-pronged voter and leadership survey of post-treaty Japanese political opinion made by the author between the fall of 1952 and the late summer of 1953. Few scholars would be bold enough to draw final conclusions on the Occupation from a one-year study of Japanese opinion, but history's verdict on the subject will be determined largely by native opinion rather than by the theorizing of foreign observers. And, in the first year after the treaty, certain patterns of Japanese opinion crystallized sufficiently to permit us to make tentative conclusions about Japanese revisionist attitudes.

Every attitude survey being limited by its methodology, a brief description of the methods employed in this survey will help the reader understand the discussion to follow. Due to financial and other problems of individual research operations, no attempt was made to carry out a nation-wide survey. Instead, two principal sample points were chosen on the basis of extreme variation in characteristics associated with political behavior.[2] A third point, approaching the national average on these characteristics, was used for pretest purposes. The two principal points were the city of Osaka, an industrial-commercial metropolis, and the Izumo area of Shimane Prefecture, an agricultural plain on the Sea of Japan. Okayama City was the third point included.

A probability sample of 500 voters was drawn from the registration lists in both Osaka and Izumo, while a sample of 328 voters was used in Okayama. About 88 per cent of these voters were interviewed, a standardized question-

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* The survey on which this paper is based was financed by grants from the Social Science Research Council and the Center for Japanese Studies of the University of Michigan. Numerous Japanese officials, scholars, and university students cooperated in the field operations. Naturally, only the author is responsible for the conclusions stated herein. Much of the data in this paper was presented originally to the annual meeting of the Far Eastern Association held in New York on April 13, 1954.

[1] By far the best of these to date is Harry Emerson Wildes, *Typhoon in Tokyo* (New York, 1954).

[2] Since the overall focus of the survey was on political behavior, voting rates were considered as a prime factor in the choice of extreme sample areas. Osaka's voting rates averaged 55%, Izumo's 90%, and Okayama's 77% in postwar Diet elections. These were close to the national low, high, and median.

naire being used, which was developed on the basis of the pretest experience. While the three samples, totalling 1178, are large enough for most analysis on a point-by-point basis, the sampling error for sub-group data limits our confidence in a few of the very smallest sub-groups. At the time of the voter interviews, the author also held personal interviews with a random 1:3 selection of the elected officials in each of the three sample areas,[3] using a variant of the voter questionnaire. Approximately forty local, prefectural, and Diet representatives in each of the three areas provided much insightful data on their own and their constituents' political opinions. All interviews were in Japanese.

Numerous checks of the survey data were made against Japanese survey material, interview data in other prefectures, and the more traditional data from observation and media analysis. These checks served to confirm rather than contradict the survey results presented herein. Both voter and leadership data are included in this paper, and a few leader quotations are given to illustrate points of view, but the full survey results are not immediately available.

To establish a framework of reference, let us begin with the leadership replies to the following question: "It may be too early to judge the overall effect of the Occupation on Japan during the past seven years but, considering both its good and its bad points, what is your general opinion of it?" This question was dropped from the voter questionnaire after the pretest proved it to be too general for voters. The responses of the leaders are summarized in Table I.

TABLE I. LEADERSHIP EVALUATION OF THE OCCUPATION BY SAMPLE AREA AND POLITICAL ORIENTATION

Occupation Evaluation	Sample Area			Political Orientation*	
	Osaka	Shimane	Okayama	Right	Left
Strong Approval	20%	18%	12%	19%	10%
Weak Approval	35	38	32	38	26
Neutral	11	12	21	12	20
Weak Disapproval	10	9	29	11	29
Strong Disapproval	18	16	3	15	9
Don't Know	6	7	3	5	6
Total	100%	100%	100%	100%	100%
Number of Cases	41	46	34	90	31

* "Right" includes respondents affiliated with, or leaning toward, the Liberal, Progressive, and Green Wind Society parties; "Left" includes those affiliated with or leaning toward the Right and Left Socialist, Farm-Labor, and Communist parties.

The only difference among the three sample areas on this question is the smaller percentage of "strong disapproval" in Okayama. The greater degree of disapproval shown by left party affiliates is due to their opposition to the post-1948 switch in Occupation policy from reform to recovery. A detailed study of the reasons given by leaders for their evaluation also shows that right party affiliates approved the Occupation more for material than for ideological reasons. No single reform measure was cited as good or bad by more than 13 per cent of either right-wing or left-wing leaders, but the rightists mentioned "material aid," "personal leniency," and similar virtues whereas the leftists mentioned "democratization," "renunciation of war," and other policy-oriented features of the Occupation. One hardy old Diet member from Okayama echoed the conservative view when he said: "Right after the war they went too far in opposing militarism and pushing democracy, but we are very grateful for all the material assistance." Another Liberal party leader complained that "Many American ideas were forced on Japan where conditions are very different. It was all a New Deal experiment which Japan as a nation cannot sustain." The leftist position, a reflection of the current anti-American sentiment of the Japanese left, was best summed up in this comment by the sole Communist member of the House of Representatives: "Democratization was carried out in the early period but this was all destroyed later and we no longer feel any gratitude for the early benefits."

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[3] All mayors, governors, and Diet members and one-third of all local and prefectural legislators.

This ambivalence on the part of both rightists and leftists in Japan today is greatly clarified when we proceed to specific Occupation reforms. For these questions we have both leader and voter data. The question of Japanese rearmament—revision of the spirit and/or letter of the demilitarization article of the Occupation-dictated Constitution of 1947—has been the most controversial domestic issue in post-treaty politics. Both voter and leader samples agreed that it was the most important issue in the October, 1952 and April, 1953 general elections and recent clarifications of his public position by Prime Minister Yoshida merely confirmed the wide chasm of right-left disagreement that had existed previously on the question. We asked our voter and leader respondents to categorize their overall opinion on the rearmament problem, permitting them to qualify their answers in sub-questions explained below. Table II shows the overall division on rearmament by the political party orientation of voters and leaders.

The leadership data, which for reasons of sample size cannot be reported by area and party simultaneously, shows a much sharper party division on rearmament than is revealed by the voter data. Conservative leaders gave almost unanimous approval to rearmament, usually defined as a "self-defense force," and two-thirds of the leftists leaders opposed rearmament, usually with greater force than their rightist associates favor it. In both Osaka and Shimane, there is a clear division of voter opinion along expected party lines. Even so, one-third of the conservative voters opposed rearmament, compared with about 60 per cent of the leftist voters. The non-voter category in urban Osaka leans close to the radical view on this question, whereas Shimane non-voters tend toward the conservative view if they express any opinion at all. This is consistent with the other characteristics of non-voters in the two areas. Those leftist leaders and voters who gave weak approval to rearmament are mostly from the Right Socialist party, which has taken a somewhat equivocal stand on this and other issues.

Rightist and leftist leaders were quite bitter about the reversal of the Ameri-

TABLE II. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD REARMAMENT*

Self-Rated Attitude on Rearmament	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non-Voter	Right	Left	Non-Voter
Strong Approval	23%	—%	11%	3%	8%	5%	4%	5%
Weak Approval	72	32	53	36	30	52	34	36
Weak Opposition	2	9	13	13	18	11	2	11
Strong Opposition	—	56	23	45	37	29	56	22
Don't Know or Not Ascertained	3	3	—	3	7	3	4	26
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of Cases	90	31	173	118	118	343	55	67

* The party orientation of the voter sample is based on reported party vote in the October, 1952 general election. "Right" and "Left" carry the same meanings as applied to those terms in the leader data, explained in the note to Table I. "Non-voter" includes 1952 non-voters and a few uncertain voters. Nine Osaka and three Shimane independent voters are omitted from this and subsequent tables as are all Okayama voter respondents.

can position vis-à-vis Japanese rearmament, for different reasons. One top Liberal answered: "You all forced us to disarm and now Dulles reviles us for not rearming faster! You've changed your position in the postwar world but you shouldn't have pushed us in such opposite directions." Sixty-five per cent of the right-wing leaders also approved revision of the Constitution to permit formal rearmament. Leftist leaders vigorously defended General MacArthur's original policy of a disarmed Japan and spoke only in praise of the "Peerless Peace Constitution."

It is clear, from further analysis not detailed here, that women voters oppose rearmament regardless of their party vote; that voters of low information levels are stronger opponents within each classification; and that younger voters of each party tend to be opposed. Sub-questions, dealing with the favored degree of rearmament, constitutional revision, and alternatives to rearmament, reveal that the "weak opposers" in the voter sample actually favor a self-defense force at about the present low level. Very few of those voters who expressed approval of rearmament wanted a full-blown Japanese army and navy; only 8 per cent of the Shimane voters who disapproved rearmament, and 17 per cent of that group in Osaka, favored the policy of "independent neutrality" advocated by the Left Socialist party.

The second issue that aroused wide public controversy during the year after the treaty was the government's proposal of an anti-strike law to limit strikes in public utility fields. Since the Occupation had done much to strengthen Japanese labor unions and the rights of labor generally, the left-wing parties which depend heavily on labor support in elections, opposed the anti-strike bill violently. Conversely, right-wing parties, which draw much support from the rural countryside as well as business circles, acted in response to widespread public complaints against utility strikes in such industries as coal and electric power, where union leadership was outspokenly anti-government and pro-leftist. The controversial bill became law when it passed both houses of the Diet in late summer, 1953, the Diet vote following the same right-left division we use in this paper. Table III shows leader and voter response to the query on the respondent's attitude toward the strike-limitation proposal.

TABLE III. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD THE 1953 STRIKE CONTROL BILL

Attitude Toward Strike Bill	Leaders*		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non-Voter	Right	Left	Non-Voter
Approval	98%	9%	83%	50%	81%	83%	58%	66%
Pro-Con	—	—	3	6	3	2	5	—
Disapproval	2	91	12	40	10	7	30	5
Don't Know or Not Ascertained	—	—	2	4	6	8	7	29
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of cases	73	23	173	118	118	343	55	67

* Local leaders from Okayama were not asked this or subsequent issue questions.

On the issue of the anti-strike bill, as on rearmament, we find the leaders of right and left taking a more clear-cut position than their constituents. Conservative party voters in both areas, however, follow their leaders far more closely than leftist party voters. This can be explained by reference to responses to another labor question: "Do you think Japanese unions have too much power in Japan today, not enough power, or just about enough?" To this question only 36 per cent of Osaka's left-wing voters and 22 per cent of Shimane's left-wing voters gave the party-line answer, "not enough." Males and those of high information level, regardless of party, gave more pro-labor responses on the strike bill question than did females and those of low information. It will be noted that these sub-groups showed opposite tendencies on the rearmament question.

Almost half of the conservative leaders interviewed favored even more drastic curbs on labor, including revision of the Labor Standards Act.[4] They argued in the following terms: "Japan is so weak economically that we can't keep raising our export prices by pampering labor at home;" "The Occupation gave unions so many rights they no longer think of their duties to the public;" "Farmers don't like labor's misuse of a strike right which farmers cannot enjoy." Leftist leaders insisted that "Management should be more sympathetic toward workers. . . . Not all their strikes are instigated by Communists." Given the temper of public opinion, the conservative coalition of Liberals and Progressives in the Diet is likely to proceed swiftly along this line of revisionism, however, as seen in the recent law designed to curb the political activity of teachers in public schools.

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[4] Law No. 49 of April 1, 1947. For this and other Occupation reforms, see the two-volume Report of Government Section, SCAP, *Political Reorientation of Japan* (Washington, G.P.O., 1949).

The two revisionist issues so far discussed were ones on which public opinion and leadership opinion were both well-crystallized. There were other issues, however, on which only leadership opinion had reached that stage. As examples, we may look briefly at leader and voter opinion on two of the most favorably publicized reforms of the Occupation: land reform and educational reform. On neither of these reforms had voter pressure for revisionism reached major proportions, but a majority of our leadership sample criticized both reforms. Tables IV and V illustrate the contrasting nature of leader-voter opinion on these two reform measures. The tables are based on data from open-end questions on the respondent's personal impression of the operation of the two reforms in his locality.

TABLE IV. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD LAND REFORM

Attitude toward Land Reform	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non-Voter	Right	Left	Non-Voter
Approval	25%	79%	25%	39%	17%	60%	60%	55%
Pro-Con	3	9	10	7	9	5	3	6
Disapproval	68	8	10	7	6	15	14	7
Don't Know or Not Ascertained	4	4	55	47	68	20	23	32
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of Cases	73	23	173	118	118	343	55	67

Clearly, our leader sample shows a sharp right-left division on the question of land reform, but not on the educational reform. Voters, on the other hand, displayed more hostility toward the latter than the former, but no voter group voiced over 32 per cent disapproval on either question. These are two areas of revisionism where the leaders have much spade work ahead to convince their constituents of the need for sweeping changes in Occupation handiwork. It may well be, however, that more specific questions on ex-landlord compensation, revision in the time period for compulsory schooling, or abolition of local school boards would have produced more pro-revisionist sentiment. The tables above do not show the wide variety of replies under each category, but interviewer probing did not elicit many reasoned replies of an expected nature. Voters seemed disinterested in these reforms and, in the case of Osaka voters on land reform, were largely ignorant of the reform's impact.

Leaders, however, were explicit in their praise or condemnation of both these reforms. Conservatives in Osaka, particularly, denounced the harshness and unsuitability of the land reform; the confiscatory prices paid to landlords, many of whom were impoverished by the reform; the arbitrary action of local land committees; and the inability of new owner-cultivators to make good. Leaders in rural Shimane divided evenly on this question, reflecting the majority opin-

TABLE V. RELATION OF PARTY ORIENTATION TO ATTITUDES TOWARD EDUCATIONAL REFORM

Attitude toward Education Reform	Leaders		Osaka Voters			Shimane Voters		
	Right	Left	Right	Left	Non-Voter	Right	Left	Non-Voter
Approval	40%	52%	44%	42%	36%	51%	55%	57%
Pro-Con	—	—	9	12	9	7	9	5
Disapproval	55	48	32	29	21	26	29	10
Don't Know or Not Ascertained	5	—	15	17	34	15	7	28
Total	100%	100%	100%	100%	100%	100%	100%	100%
Number of Cases	73	23	173	118	118	343	55	67

ion among their constituents. Left-wing leaders tended to deplore signs of landlord revival and regret the failure to include forest land in the reform. Both rightist and leftist leaders divided quite evenly on the educational reform, but rightists were less enthusiastic in their praise and much harsher in their criticism of the time extension, P.T.A., elective school boards, and the Teachers' Union. Both conservative and radical leaders who criticized the new school system gave its cost as their major reason. It has been the financial burden of decentralized school and police systems that has given new impetus to the trend toward consolidation of local units of government (the so-called *gappei* movement). In fact, 90 per cent of the right-wing leaders and 45 per cent of the leftists voiced disapproval of the entire postwar system of local autonomy. Leftist leaders were inclined to base their objections on the need to extend the system, whereas rightist leaders tended to favor more grants-in-aid, if not actual control, by the central government of functions the Occupation assigned to prefectures and municipalities.

Finally, in Table VI, we can see the overall score on revisionism for each of the six groups included in the survey. The replies to the five questions discussed above (on rearmament, the strike bill, labor union power, land reform, and educational reform) were combined into a single scale score for each respondent on a 1, 2, 3 point basis corresponding to a pro-revisionist, neutral, or anti-revisionist reply on each of the five questions. The highest revisionist score was 5 points; the extreme anti-revisionist score 15 points. Despite the lack of party correlation on the last two items, the scale clearly differentiates between conservative, radical, and non-voter subgroups.

The table demonstrates the anticipated degree of correlation between party affiliation and revisionist opinion, with the non-voters highest in the "medium" or neutral category. The pattern is similar in both urban and rural sample areas, except that the rural Shimane conservatives' approval of land reform gives them a lower overall score.

* * *

What conclusions can we draw from this brief analysis of political revisionism

TABLE VI. RELATION OF PARTY ORIENTATION TO SCALE OF REVISIONIST OPINION

Scale of Revisionist Opinion	Osaka Voters			Shimane Voters		
	Right	Left	Non-Voter	Right	Left	Non-Voter
High*	35%	12%	18%	25%	14%	6%
Medium	44	26	58	40	25	58
Low	21	62	24	35	61	36
Total	100%	100%	100%	100%	100%	100%
Number of Cases	173	118	118	343	55	67

* "High" indicates strong pro-revisionist opinion; "Low" indicates strong anti-revisionist opinion.

in post-treaty Japan? The section of the survey dealing with this topic was highly selective in its choice of issues. Many other Occupation policies might have been included but some, like the crusade against the *zaibatsu* and the broader purge, were already dead letters in 1952. Others would have been even more difficult to test in a voter survey than the land and educational reforms included here. Given this limitation, it appears that at least three of the five questions on the voter survey, and four on the leadership survey, produced significant data on the extent of revisionist attitudes and on the relation of right-left party orientation to such attitudes.

On the question of the extent of revisionist opinion, a majority of all leaders sampled favored revisionist policies toward all Occupation reforms included in the survey. A majority of all voters sampled favored revisionist policies toward disarmament and the right to strike in public utilities, and opposed any extension of union powers. The voters, however, gave plurality approval to land reform and educational reform. Both leaders and voters gave stronger approval to labor policy revisionism than to rearmament, but leaders expressed more extreme views on all issues.

On the question of partisan differences on revisionism, leaders split along right-left lines on every issue with the exception of educational reform, and even in that case an examination of the responses reveals party-line differences on the reasons given. (This is perhaps more noteworthy since a quarter of the leader sample were nominal Independents and a majority were local politicians to whom party ties are supposed to mean little.) Voters in both the urban and rural sample also divided along right-left partisan lines on the three questions of rearmament, the anti-strike bill, and labor union powers. Political partisanship in Japan, as in the United States,[5] shows a clear correlation with the respondent's attitude on meaningful issues. Non-voters in the sample showed the expected tendency to be unconcerned with political issues, but only in the rural area was this very marked. Other data from the survey confirm this relationship between partisanship and political attitudes.

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[5] For somewhat comparable American data, see Warren E. Miller, "Party Preference and Attitudes on Political Issues: 1948–1951," this REVIEW, Vol. 47, pp. 45–60 (March, 1953), and Angus Campbell, Gerald Gurin, and Warren Miller, *The Voter Decides* (Evanston, Ill., 1954).

No significant differences between the urban Osaka sample and the rural Shimane sample are evident either on the extent of revisionist opinion or on partisan differences on issues, with the possible exception of land reform.

The survey data do not in themselves warrant more general conclusions on the nature and future of Japanese revisionism. However, based on his overall study of Japanese politics, including this survey material, the author hazards a few final observations.

Revisionist legislation has already been passed by the Diet in the areas of civil liberties, labor, economic concentration, and administrative reform. Will the conservative coalition proceed to revise all other substantive reforms of the Occupation out of existence? The extent and nature of leadership opinion suggest that the trend in that direction will increase in the near future. Revisionism is not an ephemeral post-treaty phenomenon but a complex, deeply-rooted amalgam of Japanese nationalism and justified criticism of Occupation excesses.

The fact that voters were less enthusiastic about some revisionist aims than were their leaders suggests that the priority of targets will be chosen carefully and that public opinion will be prepared more adequately for later targets. Left-wing opposition parties, committed to the defense of Occupation reforms which both coincide with their ideological beliefs and buttress their electoral strength, will force the conservatives into increasingly sharp battles both inside and outside of the Diet building. Cooperation among the three conservative parties and among the four left-wing parties will grow stronger as revisionism and foreign policy cleavages become more pronounced. To the extent that revisionism aids the domestic right and harms the domestic left, the leadership of the Liberal-Progressive majority has added incentive for carrying out its revisionist program.

Whether foreign observers should view Japanese revisionism with alarm or approbation is likely to provoke wide disagreement, since there are muted overtones in any review of American postwar policy toward Japan which are reminiscent of the acrimonious debate over our postwar policy in China. Those who favored the original Occupation policies of 1945–1947, regretted the transition from "reform" to "recovery," and still look hopefully toward the non-Communist left in Japan, are apt to be alarmed by revisionist actions and attitudes. Those who may have approved the early reform policies in naïve ignorance of their effect on Japan, but now realize the impracticality or undesirability of reforms that undermine a viable Japanese economy and polity, are apt to approve revisionism. The latter may hope that, if revisionism can strengthen the moderate right against the present danger of a quasi-Communist left and the possible danger of an anti-foreign right, it will prove to be a healthy as well as a natural development in post-treaty Japanese politics.

CAPITAL AND CARBUNCLES: THE "GREAT BOOKS" REAPPRAISED

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Professor David Easton's widely discussed essay in academic psychoanalysis is indicative of the methodological trauma through which political science is now passing. Of particular interest is his chapter on political theory, which, according to his diagnosis, has suffered from a malady known as "decline into historicism."[1] His specific point of criticism is that the commentaries of Dunning, McIlwain, and Sabine have led students away from serious study of value theory. This kind of attack, however, does not get to the nub of the problem which surrounds political theory. For while political scientists seem to feel that political theory should be made the "heart" of their discipline,[2] they will also have to acknowledge that the "heart" of political theory itself has been reading the "Great Books." A far greater indictment than Easton's, then, is that it is an unquestioning reliance on the "Great Books" which has served to thwart any significant expansion of the scope and function of political theory—in terms of value theory or any other kind. Students are told to read the books with great care. But why they have to read them *at all* is a question which has seldom been squarely confronted. Hence both undergraduates and graduate students come away, perhaps somewhat pleased that they can now quote a few choice axioms from Burke, but nonethemore edified as to *how* the learned authors of yesteryear can aid them in understanding the science of politics.

The reason for this, as Easton has suggested and as I will make plain, is that the "Great Books" are primarily taught as history—more particularly, as history of ideas and historical biography—with often a smattering of logic added. The student of politics, when he comes to study theory, is immediately given an historian's pair of shoes. Virtually all the methods which he learned as a political scientist are painstakingly ignored. It is not being deprecatory of the study of history to point out that it is something quite different from the study of politics. It would be a grave error to fail to see that a knowledge of history is vital for the political scientist. He cannot understand the American Senate of 1954 without knowing something of the War between the States; he cannot claim to know today's House of Commons without appreciating its Elizabethan counterpart. But history, when used by the student of politics, must, like Harold Laski's expert, be on tap and not on top. For this reason, then, the political scientist must always have before him the question, in paraphrase of Professor Lynd, "History for What?" For history is no more than a technique for the political scientist: it should be a handmaiden, as mathematics is to the physical sciences. A political scientist should be able to draw on historical evidence with as great facility as he utilizes public opinion polls and the files of the *Congressional Record.*

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[1] David Easton, *The Political System* (New York, 1953), Ch. 10.

[2] Cf. Committee for the Advancement of Teaching, American Political Science Association, *Goals for Political Science* (New York, 1951), pp. 116–33. Citing "opinions from the men and women who teach political science in the leading institutions of higher education in the country," the Committee found that while in terms of actual curricula political theory is not "the core of political science," at the same time there was a "widespread feeling . . . that it should be made the heart of the subject" (p. 126).

My contention here is that political science is a bona-fide member of the social science family. And, for this reason, it is contemporary. Economic and sociological theory deal solely with today's world. (Or they deal with generalizations which encompass all times and all places. But such theorizing must necessarily include the here and now of today's world.) It is only political theory which has failed to note its contemporaneity. Saddled, to a far greater extent than economics or sociology, with a shelf-full of "Great Books," the political theorist of today is content to discuss such topics as: "George Plekhanov and the 'Iskra' Period;" "Significance and Impact of Heinrich Treitschke;" "The Political Thought of L. T. Hobhouse;" and "Thomas Hobbes' Concept of Religion and the State's Relation to It." (These are four *of the first six* projects listed under Political Philosophy in the list of doctoral dissertations published, in the September, 1953, issue of the AMERICAN POLITICAL SCIENCE REVIEW.) As we are quite aware, Plekhanov, Treitschke, Hobhouse, and Hobbes are very much dead and buried. Yet political scientists continue to read them—and prescribe the reading of them to their students—in our own day. My concern, however, is not so much with the fact that Plekhanov, Treitschke, and writers like them form the corpus of political theory. Personally I desire to save the "Great Books" rather than bury them. And it is for that reason that I wish to examine the ways in which these books are approached, and evaluate the relevance that these approaches have for political science.

It may be well to admit here that I can do little more than assume that the function of political theory is to deal with the contemporary world (or, more grandiosely, with all periods in history, including the present). And I fear that this can be no more than an assumption about the character of political theory, which one either accepts or rejects prima facie. Theory has the dual task of explaining behavior (causal theory) and adumbrating principles on how people ought to behave (ethical theory). Hence, the burden must be shifted to the non-contemporaries. They must show how the study of history, or of the history of ideas, or of historical biography—in and of themselves—have a meaning for political science. The burden of justification, it seems to me, lies with those who would immerse themselves in history. They must show why political theory, unlike theory in the other social sciences, should be anything other than contemporary with regard to the problems that it sets for itself.

I have divided the prevalent ways of reading the "Great Books" into ten arbitrary (and occasionally overlapping) categories, designated as follows: (1) *Capital* and Carbuncles; (2) The Hero-Worshippers; (3) Intellectual Plagiarism; (4) Who-Said-It-First?; (5) The Mind-Readers; (6) The Camera-Eye; (7) Influencing the Intelligentsia; (8) Influencing the Masses; (9) The Logic-

Book;[3] and (10) Timeless. No brief rubric can tell the whole story and I have therefore attempted to capture the spirit of each approach. It is (10), and only (10), I will maintain, which is the appropriate way for students of political theory to approach the "Great Books."

1. Capital *and Carbuncles.* This first approach is primarily biographical. Here we are concerned to know how a particular book came to be written in a particular way. Thus the fact that Marx had carbuncles made him vent all the more vitriol on the bourgeoisie in his *Capital.* Or we are told that Rousseau's constricted bladder made him all the less coherent at the time he wrote the *Social Contract.* But there is more than this. If, we hear, there were vitiating circumstances surrounding the writing of a particular book, then a reading of *other,* and less well-known, books by the same author will show us his "real" outlook—and meaning. For example, Gugliemo Ferrero tells us that if we are to know the "real" Machiavelli, we must read his *Discourses.* In fact, Ferrero tells us, even in *The Prince* there are only a few of the notorious "Machiavellian" strictures and these are

> not connected with each other nor with the rest of the argument, which could be either suppressed entirely without mutilating the work or rendered quite inoffensive by disguising their thought in less frank terminology. Anyone acquainted with the life and character of Machiavelli knows that these fragments of his thought, on which a whole theory of conduct has been erected, are nothing but bad-tempered explosions.[4]

Hence we must add to Marx's carbuncles and Rousseau's bladder, Machiavelli's bad temper. Once we know, and make allowance for, this character-trait, we can fully understand Machiavelli the Author. But if we follow this approach then we will concern ourselves not with the "whole theory of conduct" which grew out of Machiavelli's bad temper, but rather with the biography of a single man and perhaps the historical conditions which surrounded the writing of one of his books. The verdict here, then, must be that such a study is biography and history; but it is not politics.

2. *The Hero-Worshippers.* "A hitherto undiscovered cache of the Harrington papers has been uncovered beneath the floor-boards of a remote Devonshire inn, and Professor Smith, a leading Harrington-scholar, has reported that he intends to spend the next five years studying and cataloging them." This quotation is wholly of my own making, but paraphrases of it are not hard to discover. The "Harrington-scholar" is concerned, and concerned only, with the life and works of Harrington *the man.* In (1) we saw how some people "interpreted" *Capital* in light of Marx's carbuncles. But the Hero-Worshippers are

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[3] The Logic-Book approach is not a victim of the historical bias to which I have been alluding. However, it is still non-political. Hence, even though logical analysis may be exonerated from the historical taint, it must nevertheless come under the axe because of its failure to pass the political test.

[4] Quoted in the bibliography of William Ebenstein's *Great Political Thinkers* (New York, 1951), p. 845. It should be said that Professor Ebenstein's short introductions in this book of readings are noteworthy examples of an attempt to show the relevance of the ideas contained in the "Great Books" to the problems of the contemporary world.

not only concerned with the significant books by a particular author; every single jotting that the man set down on paper is of crucial importance. Thus, for example, Mr. Pelczynski of Oxford, in the *Cambridge Journal*, elucidated Hegel's thoughts on the English Constitution: "In October 1831 *Die Preussische Staatszeitung* published an article entitled 'Ueber die englische Reformbill' by the Professor of Philosophy at the Royal University of Berlin, G. W. F. Hegel."[5] Mr. Pelczynski, however, is forced to confess that "On the whole. . . Hegel's account of the formal or legal side of the Constitution. . . contains nothing that can be called original or profound."[6] And he concludes: "And so he must join the large group of distinguished and learned foreigners who, while they said much about the English Constitution that was true and interesting, always managed in the end to misjudge it in some fundamental respect."[7] Now Mr. Pelczynski is a Hegel scholar. The rest of us remember Hegel because of such books as his *Philosophy of Right* or his *Philosophy of History*. But, for Mr. Pelcyznski, Hegel's article on the English Constitution is also of importance. However, most all of his remarks are either misunderstandings or commonplaces; there are at least a dozen better commentaries on the subject. Does the fact that *Hegel* made them make them any the less undistinguished? But the Hero-Worshipper must give the front rank to everything that his Hero wrote. By this token, if a Calhoun-scholar discovered a (thoroughly bad) picture by Calhoun, would he try to persuade the South Carolina Art Gallery to hang it?

We can see, then, that this approach must very definitely be classed as biography. It certainly is not politics.

3. *Intellectual Plagiarism.* Every author of a "Great Book," this approach postulates, is wittingly or unwittingly echoing the words of one of his predecessors. Marx's ideas are to be found in Babeuf, Ricardo, and Hodgskin. T. H. Green and Bosanquet (not so unwittingly) are based on Hegel. Even if an author does not give credit to his mentors, his plagiarisms can still be traced. One hears of the scholar who spent his life trying to reconstruct the exact contents of Rousseau's library, bibliography, and reading lists in order to discover which books might have influenced him. Along this line, the late Professor Laski once wrote:

> A careful comparison with Bodin has revealed to me that Montcretien, usually acclaimed as the founder of political economy, has, in fact, taken 300 pages wholesale from Bodin, merely inverting the order of Bodin's remarks. And in the books this unblushing plagiary is exhibited as supreme originality.[8]

Now one need not go so far as to accuse M. Montcretien of "unblushing" plagiarism. It may well be that he had just read so much of Bodin that he could not help but have his ideas in the forefront of his mind. When Mr. Plamenatz devotes a book to showing the dependence of the Utilitarians on Hobbes, he does not mean to say that Bentham consciously plagiarized Hobbes.[9] It is sufficient to note that the ideas of one man influenced another's writing. This approach seeks to find out the impact of writer on writer. It can depend on direct evidence, as a diary entry which might read, "Today read Locke and was much impressed;" or it can rest on mere deduction from similarity of words and phrases in the works of two men. But no matter whether we are charitable or otherwise, this method of study is concerned with either the history of ideas or the biographies of individual authors. It is not, however, concerned with politics.

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[5] Zbyszek Pelczynski, "Hegel on the English Constitution," *Cambridge Journal*, Vol. 5, pp. 519–30, at p. 519 (June, 1952).

[6] *Ibid.*, at p. 521.

[7] *Ibid.*, at p. 530.

[8] *The Holmes-Laski Letters*, ed. Mark Howe, 2 vols. (London, 1953), Vol. 2, p. 1098.

4. *Who-Said-It-First?* The previous approach was interested in the direct or indirect influence of one author upon another. Quite different are the searchers after the man who crossed the finish line first. Professor Friedrich writes of modern theorists:

> A review of their contributions to date to political theory reveals that most of what they have had to say has been a repetition of existing knowledge, developed in the course of the history of political thought.[10]

They usually frame such questions as: Who was the "father" of sociology? Who first spoke of sovereignty? or Who originated the notion of natural rights? The accepted procedure here is, for example, to take Comte, who is the "recognized" father of sociology, and show that Montesquieu emphasized sociological factors long before Comte was alive. Once Montesquieu begins to gain ground, then Hobbes or Machiavelli will be rushed in to take over the paternity. The difficulty with this approach is that the classicists are always ready at hand with Plato and Aristotle to show that they anticipated anything and everything that has since been said in political theory. For example, Professor Kecskemeti tells us:

> The idea of "policy science" is not a new one. . . . Its first, incomparable formulation is found in Plato's *Republic:* policy, the Platonic Socrates says, can be reasonable and sound only if it is based upon the fullness of scientific insight and knowledge.[11]

And they, by reason of seniority, crossed the finish-line long before anyone else. One effect here, of course, is to steal the thunder from modern theorists. If one postulates that there has been "nothing new" since Hobbes (i.e., all the finish lines have already been crossed), then one need not bother to keep up to date on developments in the recent history of political thought. But no matter what the cause or consequences of such a study of the "Great Books," it is essentially subject-matter for the history of ideas and is not politics.

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[9] John Plamenatz, *Mill's Utilitarianism, Reprinted with a Study of the English Utilitarians* (Oxford, 1949), pp. 16, 21, 116. For a splendid criticism of this Who-Influenced-Whom approach, see Arthur Child's review of Plamenatz's book in *Ethics*, Vol. 60, pp. 223–24, at p. 223 (April, 1950).

[10] This statement was taken from notes for a paper which was delivered before the American Political Science Association in September, 1953, entitled "The Historical Approach to Political Thought: A Re-Evaluation." Professor Friedrich's argument is an authoritative counterweight to the viewpoint which I am suggesting in this article.

[11] "The Policy Sciences," *World Politics*, Vol. 4, pp. 520–35, at p. 520 (July, 1952).

5. *The Mind-Readers*. Most of us, it seems, do not know what the authors of the "Great Books" *really* meant. This is probably because we have not read those tomes closely enough or with enough care. Or it may be because we do not know a sufficient amount about the life of the author and about the historical surroundings. While the usual reason is that close attention has not been granted to the text, it is also occasionally said that we must know the contemporaneous definitions of words in order to understand the author's real intentions. Mr. C. H. Wilson gives us the sad tale of Bodin:

> By the majority perhaps of those in the succeeding centuries who were influenced by Bodin, his statement was read and received as a statement of absolute, unlimited sovereignty freeing the ruler, whether a person or a body of persons, from every restraint except that of his own sovereign will. Nothing was further from the author's real meaning. . . .[12]

Hence we see that not only modern students, but also "the majority . . . of those . . . who were influenced by Bodin" failed to capture his "real meaning." This is probably because, unlike Mr. Wilson, they read Bodin hastily and without appreciating the qualifications and nuances with which he surrounded his statements. What does not seem to trouble Mr. Wilson is that Bodin was influential simply *because he was misunderstood*. If people had known his "real meaning," as Mr. Wilson claims to, then they probably would not have paid any attention to him. In fact, the only reason that Mr. Wilson has even *heard* of Bodin—the only reason why his reputation has survived—is because people considered him as the author of a "statement of absolute, unlimited sovereignty." Without such an interpretation, however unjust to Bodin it may be, Bodin is historically meaningless. Perhaps, then, Mr. Wilson ought to join "the majority" and misread Bodin as well! But in any event the Mind-Reader approach is philosophical (insofar as it pays attention to the logic of a man's sentences), and historical and biographical. But it is not political.

6. *The Camera-Eye*. The "Great Books" give us a good idea of what some thoughtful people had on their minds during a certain historical period. This is certainly true. One cannot deny that, at the time Rousseau's *Social Contract* appeared, a goodly number of people were thinking about social contracts. In this sense, then, we can see reflections of what was on men's minds. And we can read Burke on the French Revolution and Paine on the Rights of Man and see that different groups were thinking different things in the 1790's. Of course there were a lot of people who weren't thinking at all; or people who might have been thinking, but who couldn't read books. But the Camera-Eye can only focus on the literati. Hence while Locke's *Second Treatise* is useful for telling us what the American Founding Fathers had on their minds when they were thinking about politics, there is no book that will tell us what the illiterate Kikiyu in Kenya are thinking about today. In addition, "anticipatory" books, those which give vent to ideas prior to the time when they have become generally accepted, have a value insofar as they are the first to cross the finish-line. But

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[12] "Sovereign and Sovereignty," *Chambers Encyclopedia*, new edition (New York, 1951), Vol. 12, p. 775.

they do not reflect the thought of the time in which they were written. Vico, for instance, was resurrected by Michelet long after he had passed away. The people of Vico's time had never heard of Vico; and he didn't give a Camera-Eye of his contemporaries' thinking anyway. But this is interesting to us only if we are concerned with the history of ideas. It is not any help with politics.

From another angle we can say that Tocqueville gives us a good historical picture of pre-Revolutionary France; or that Aristotle informs us of the constitutions of Ancient Greece. This, however, is cheating. If we want to know about France or Greece we ought to go about it the way historians do: through a careful study of manuscripts, records, eye-witness accounts, etc. The "Great Books" tell us little in the way of actual history. Burke's *French Revolution* is not an historical description of that event; it is a polemic telling us it ought never to have happened. There are not *two* histories: one for the political theorist, to be gained through the "Great Books", and another for the historian, to be gained through the traditional sources. There is only one history, and that is the historian's history. History via the "Great Books" is inaccurate, incomplete, and has such a strong bias as to be worthless. And anyhow this Camera-Eye value (or lack of value) in the "Great Books" is history and not politics.

7. *Influencing the Intelligentsia.* This approach is similar to (3). But (3) went down the historical scale; the fact that Montcretien "plagiarized" Bodin was of interest there. Here, however, we are interested in books because they influenced particular intellectuals in a later period. Theory, then, becomes the History of Political Books. Bosanquet, for example, captures our attention because we can see the influence of Hegel and T. H. Green on him. Of course Bosanquet didn't influence anyone himself. He wrote in Oxford and it is likely that no more than a small circle of dons read him at the time (and read him still). And Bosanquet seems in different ways, to have influenced Collingwood and A. D. Lindsay.[13] In this sort of study we are far removed from political events. We are not, as in (6), concerned to see what whole countries were thinking. It is merely that we set up a chain of book-writers and then do not have the heart to break it. Hence we can begin with Rousseau and move on up to Hegel (so far so good). If we say that Hegel influenced Marx, and Marx Lenin, then we are on the track of important political events. But if we say that Hegel influenced Green, and Green Bosanquet, and Bosanquet Lindsay, we are lost in the cloisters of Oxford's intelligentsia and far from anything in the world of political behavior. Hence we must conclude that this is the history of ideas that we are studying and not politics at all. And it can become the history of interesting, or logical, or worthwhile ideas—but they can well be ideas wholly divorced from any streams of action. Insofar as these ideas are worthwhile, the fact that they ever "influenced" any other writers is unimportant for our purposes. Hence, as we

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[13] For a careful study of the intellectual currents which influenced A. D. Lindsay, see Adam Ulam's *The Philosophical Foundations of English Socialism* (Cambridge, Mass., 1951), esp. Chs. 2, 5. But just who or what was influenced *by* Lindsay is something that Ulam never makes clear. Few will deny that Lindsay wrote intelligent and interesting books on democratic theory. But to say this is quite different from saying that he had a significant impact on English Socialism.

will see in (10), such books can be very useful in studying political theory. But this need not entail studying their historical pedigrees.

8. *Influencing the Masses.* The title of this section is not wholly an accurate one. For here we are concerned to see how books influenced political events. A "Great Book" does not, however, have to be read by the masses in order to influence political movements. Hence we may speak, first, of books which had an impact on "thinking" people. In this vein we can see that Locke's *Second Treatise* and Montesquieu's *Spirit of the Laws* influenced Hamilton and Madison. Thus we may say that Locke and Montesquieu had an impact, respectively, on the American Revolution and the American Constitution. But these authors were known only to the Founding Fathers; the rough farmers of the backwoods of Pennsylvania cannot be said to have been influenced directly by the "Great Books." On the other hand, books such as the *Communist Manifesto* and Rousseau's *Social Contract* were read by, and did influence, the masses directly. In this case the "Great Books" were really pamphlets and were read as polemical broadsides of their time. There is, of course, a middle ground between a book which influences a single influential man (as Pareto was said to have stirred Mussolini) and a book which sways millions (as the *Communist Manifesto* has). In fact most of the "Great Books" are in this in-between area. But it is important to know how much of a "best-seller" each one was.

Knowing *who* read a certain "Great Book" is vital because it ought to determine how *we* read it. There is no doubt that Madison read Locke very carefully; hence we ought to read him carefully as well. But the chances are that the pamphlet-type "Great Books" were read hastily and without too much attention to details. It would, therefore, be advisable for the student to read the *Communist Manifesto* on a crowded and noisy bus; that is probably the atmosphere in which most of the masses of mankind read it. But often we have to read a book in both ways. The *Federalist Papers*, for example, originally appeared as articles in New York newspapers. They were doubtless read by the electors of that State with the summary attention that we give to the Alsop brothers. On the other hand, the *Federalist* is important because Chief Justice Marshall relied heavily on it to form his judicial opinions. And it is certain that Marshall read the *Papers* with great care and close attention. So, depending on which particular group was influenced by it, we must be prepared to change our attitudes when we pick up a particular "Great Book." But no matter how a book influenced historical action, no matter whether it influenced the masses, the cultured few, or a single man, if we are concerned with its *influence* we are using it to study history. And history is not politics.

9. *The Logic-Book.* Here we are bidden to take up a "Great Book" in one hand and an elementary logic-book in the other. We then search for (and are bound to find) tautologies, excluded middles, inconsistencies, and non-sequiturs galore. It matters not if the book was written as a tuppenny pamphlet (as were many of Paine's or Marx's works), if it was a magazine article for a middle-class audience (as was Mill's *On Liberty*), or if it was the studied product of Oxford professors (as were Green's and Bosanquet's books). Thus Mr. Toulmin tells us: "What makes the writings of Bentham, Hobbes, Hegel and Marx 'philo-

sophical' in our sense is the logical characteristics of their statements, not the special purposes for which they make them."[14] Out of this conception of "political philosophy" can come a book by Mr. Weldon which shows us that Marxist foundations are "worthless," "metaphysical and empty."[15] Yet out of this "worthlessness" and "emptiness" came the Russian Revolution. If Czar Nicholas had distributed logic-books to the peasants would the revolution have been averted? But one wonders why Messrs. Toulmin and Weldon pick out *Marx* for their study. Why do they not tell us about the "logical characteristics" of of the New York Telephone Directory? The answer is simple. Marx has a relation to practical political movements, and the Telephone Directory has not. But practical movements are not moved by logic. And if that is all that the logic-book people are telling us they are not telling us much. The quixotic element here is that *historical events* have made Bentham, Hobbes, Hegel, and Marx of interest to us. All four, in their own times and to this day, have influenced people. Indeed, as we saw in (5), that is *why* they have come to our notice. And "the logical characteristics" of the statements in these "Great Books" (or their lack of logic) were unimportant to the people who read them and were influenced by them. But if it is simply "logical characteristics" that are wanted, then Babeuf will do as well as Marx; Hooker as Locke; and the Voting Register of San Francisco as Bentham. In a word, these are logic-book exercises, or (in some people's eyes) philosophy, but it is not a study of politics.

10. *Timeless*. The "Great Books" are timeless for both causal and ethical theory. First, they can go far toward explaining the political behavior of today. They do this because of their universal application. Aristotle's comments on the role of the middle class, or the causes of revolution, can tell us much about those phenomena in our own society. St. Augustine's "original sin" is, many would maintain, still among us now and is the "cause" of the disruptions and maladjustments in politics. Rousseau's "general will" may have been a metaphor, but it alludes to a factor in social behavior which has still to be satisfactorily explained by modern verbiage. And certainly Machiavelli's strictures on what rulers actually do do are relevant at this moment. Second, various of the "Great Books" prescribe norms which are as worthy of attention—depending on your particular moral outlook—now as they ever were. Thus Tom Paine's "natural rights" of man can still ring a bell for many in 1954. John Stuart Mill on liberty may be listened to by some; and Burke on prescription is heeded by others. The *Federalist Papers* warn us (or those of us who care to be warned) of the undesirability of unchecked power; and Rousseau points up the virtues of equality if we care to listen. Many of these books, as I pointed out earlier, were pamphlets. But no small number of them can polemicize us today as well as they stirred their original readers. (We may recall that in the thirties the business organizations distributed a new edition of Herbert Spencer's *The Man v. The State*.)

But even here we must be wary of historical pitfalls. It should be borne in mind that if our political theory is to be contemporary, then only those books or parts of books which are *relevant* to the world today should be studied. Hence we can well ignore, on the descriptive side, Hegel on the absolute monarchy and Montesquieu on climatic forces in politics. The former deals with an institution which is no longer significant and the latter is too sketchy to have any descriptive value for us. On the ethical side it is hard to rule any "Great Book" out of court. For values are long-lived and are often applicable after the institutional arrangements which sired them have perished. Nevertheless one can doubt if there is much point in considering the desirability of St. Simon's kind of utopia. Utopias are excellent theory; but if they were designed as outgrowths of past societies, then it tends to be difficult to see them as catering to our present aspirations.

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[14] *An Examination of the Place of Reason in Ethics* (Cambridge, Eng., 1950), p. 199.

[15] *The Vocabulary of Politics* (London, 1953), Ch. 4.

Nevertheless the "timelessness" of the "Great Books" must overcome still other hurdles before they can be accepted as sources for political theory. On the one hand, most of them are not as systematic or detailed as the treatises which appear today on the same general subjects (e.g., Montesquieu on geographical factors). On the other hand, and this is really a truism, they do not contain applications which fit the theoretical problems of our own day. Hence one might suggest that if we are interested in conservatism we ought to read Mr. Russell Kirk's recent book, *The Conservative Mind*,[16] rather than Burke. For Kirk speaks, in his opening and closing chapters, of that political creed in 1953, and, as political theorists and moralists, that is what concerns us. Similarly Harold Laski's *Democracy in Crisis* (1932) might make Marxism more meaningful to us than the Master himself. And the same can be said for substituting R. H. Tawney for Tom Paine and James Burnham for Machiavelli. On the purely descriptive side it is possible that V. O. Key's or Earl Latham's detailed studies of parties and groups might be of more use than the vague references to "factions" in earlier works. In the same vein, "social class" has been explored more deeply and widely by modern sociologists than Aristotle ever managed to do. And to say that Plato first thought of "policy science" does not mean that we can get as much out of Socrates' mouth as we can out of Lerner and Lasswell's *The Policy Sciences*.

But despite the existence of these contemporary works in political theory it cannot be denied (and, indeed, this is the *raison d'être* of all I am saying) that the "Great Books" faced up to many important problems in ways which have never been bettered. I cannot think of any of Hume's successors who have discussed the notion of "consent" more adequately. Rousseau on "will" has been echoed but never expanded. And the "sin" expounded by the Church Fathers has never been explained away by modern psychologists. It is in these metaphorical or poetic moments that the "timelessness" of the "Great Books" comes to the fore. Both on descriptive and on moral grounds, especially the latter, they perform a function which cannot easily be belittled.

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[16] (Chicago, 1953). My sole criticism of this excellent analysis is that Kirk deals only with book-writing conservatives. This is well-and-good for the age when statesmen, e.g., Burke, Adams, Calhoun, took time off to write theoretical tomes. But the more recent "conservative mind" is not to be discovered in the works of Babbitt, More, and Santayana. One must study the Supreme Court opinions of Justice Field, the speeches of Senator Taft, the pamphlets of the Liberty League; and the editorials of *Fortune* magazine. (Indeed, the reviews of Kirk's book in *Time* and *Fortune* are as revealing of the make-up of the contemporary "conservative mind" as is the book itself.)

A further point must be made if we are to use the "Great Books" in our study of theory. This caveat may steal much of the ground from under those who explicate the "Great Books." But the dredging operation must be performed. This is that we should cease and desist from proving the "Great Books" *wrong*. It is well known that the cherished game of teachers is to debunk and disprove the ancient authors. Yet if we are to allow the "Great Books" admittance because they can explain political behavior in a valid way, then we should do it with a good grace. If particular books are not valid, then we should leave them outside the classroom and not give them entrance merely to castigate them for their "errors." I realize that it gives us a great feeling of exhilaration to show where "we know better" than Hobbes or Bentham or Lenin. But considering that the "Great Books" have been "great" just because many people have thought their arguments to be legitimate, it little behooves us—in our different surroundings—to spend our time parading the sins of our forefathers. I do not deny that, for example, we can better show Hume's "correct" idea of consent by contrasting it with Locke's "incorrect" idea (for, after all, Hume wrote as a critic of Locke). But it will be well to carry this constructive purpose in the front of our minds. My concern, then, is not with deifying the great authors; it is with the study of political theory. To devote a lecture to "Where Marx Went Wrong" is not much help unless it is by way of contrast to where someone else went right. Our concern should be not with Marx as an author, but with the *things* Marx was trying to theorize about. Our interest, as political theorists, is, for example, with the question of "social change" *per se;* it is *not* with Marx-on-social-change. And since theory is the search for "correct" answers, it should spend time disproving the "incorrect" answers in the "Great Books" only if it has a positive purpose in view.

The popularity of the historical-biographical-logical approach is not difficult to explain. If it is employed, then the political theorist need do no more than set his five-foot shelf of tomes by his armchair. That is his "data." All he need do is to read and re-read those few books. By way of "research," he can confine himself to libraries; his tasks will be such endeavors as discovering Machiavelli's bad temper, Hegel's views on the English Constitution, and Marx's debts to Hodgskin. If he is a logician he can sit in the fastness of his study and seek out tautologies in Mill or a seventh definition of "property" in Locke's *Second Treatise*. Or he can discover what Bodin "really meant" by unearthing some letters of his to a Swedish countess. And he can search for an obscure Swiss writer who anticipated Hobbes on sovereignty. But the great thing about all of this kind of study is that it hardly involves decamping from the texts themselves. The whole of theory, by these lights, is to be found in one place: all the

"Great Books" can fit on one shelf. The overriding danger, of course, is that the venerable volumes become *ends in themselves*. One becomes concerned not with revolutions or liberty or parties, but merely with what Aristotle or Mill or Madison happened to say on those subjects. No doubt they said much of value. But the job of the political theorist is to explain ideas, not to limit himself to knowing what a few historical writers said *about* those ideas. In addition, the librarian's acquisition-policy for the five-foot shelf is often very indiscriminate. We find, alongside of the earth-shaking pamphlets of Marx and Rousseau, insignificant works by Vico and Bosanquet. Insignificant, that is, in the sense that if they had not been co-opted by the academics no one would ever have heard of them. I object to none of these co-options, however, if they explain political behavior adequately. But most of them do not. They are merely on the shelf because they are hoary-headed and no one has had the heart to evict them. Certainly a living author does not like to have his earlier books, if he has since found them inadequate, remaining in general use. Dead writers, I am sure, feel the same way.

My purpose here, as I said at the beginning, is to preserve the "Great Books" and not to demolish them. Many of them contain explanations and prescriptions which have great value for us now. And, if they are handled in the way that I suggest, they can still be used as the central theme of introductory study —and advanced research—in political theory. I have indicated that there are many "timeless" questions and answers which are better posed in the "Great Books" than in anything which has succeeded them. But the other social sciences, particularly social psychology and anthropology, are moving in on the province that should be political theory's. Professor Almond has pointed this out succinctly:

> The political scientist today has only one foot in the door of a house which he formerly occupied in secure tenure. Anthropology and social psychology . . . have moved rapidly on to a broad front attempting to provide answers to questions which the political scientist, operating with primitive theoretical and methodological tools, has given up asking.[17]

And it should be said that most of these "primitive theoretical tools" are what is found in the "Great Books." However, the difficulties that the political theorist encounters stem not from the fact that he is wedded to the "Great Books." It is because he is not willing to try to derive lessons for explaining the contemporary world *out of* those volumes. I have no doubt that the men who are engaged, for instance, in elucidating "misunderstood" adjectives on majority-rule in Locke are fully competent to discuss the problem of majority-rule *per se*. It is majority-rule and not John Locke that needs theoretical discussion. That is what political theorists should be doing.

Political theory must catch up with the rest of the social sciences. And this will only be done if much of the excess historical, biographical, and logical baggage which surrounds the "Great Books" is ruthlessly thrown overboard.

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[17] "Anthropology, Political Behavior and International Relations," *World Politics*, Vol. 2, pp. 277–84, at p. 282 (Jan., 1950).

A METHOD FOR EVALUATING THE DISTRIBUTION OF POWER IN A COMMITTEE SYSTEM

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In the following paper we offer a method for the *a priori* evaluation of the division of power among the various bodies and members of a legislature or committee system. The method is based on a technique of the mathematical theory of games, applied to what are known there as "simple games" and "weighted majority games."[1] We apply it here to a number of illustrative cases, including the United States Congress, and discuss some of its formal properties.

The designing of the size and type of a legislative body is a process that may continue for many years, with frequent revisions and modifications aimed at reflecting changes in the social structure of the country; we may cite the role of the House of Lords in England as an example. The effect of a revision usually cannot be gauged in advance except in the roughest terms; it can easily happen that the mathematical structure of a voting system conceals a bias in power distribution unsuspected and unintended by the authors of the revision. How, for example, is one to predict the degree of protection which a proposed system affords to minority interests? Can a consistent criterion for "fair representation" be found?[2] It is difficult even to *describe* the net effect of a double representation system such as is found in the U. S. Congress (i.e., by states and by population), without attempting to deduce it *a priori*. The method of measuring "power" which we present in this paper is intended as a first step in the attack on these problems.

Our definition of the power of an individual member depends on the chance he has of being critical to the success of a winning coalition. It is easy to see, for example, that the chairman of a board consisting of an even number of members (including himself) has no power if he is allowed to vote only to break ties. Of course he may have prestige and moral influence and will even probably get to vote when someone is not present. However, in the narrow and abstract model of the board he is without power. If the board consists of an odd number of members, then he has exactly as much power as any ordinary member because his vote is "pivotal"—i.e., turns a possible defeat into a success—as often as the vote of any other member. Admittedly he may not cast his vote as often as the others, but much of the voting done by them is not necessary to ensure victory (though perhaps useful for publicity or other purposes). If a coalition has a majority, then extra votes do not change the outcome. For any vote, only a minimal winning coalition is necessary.

Put in crude economic terms, the above implies that if votes of senators were for sale, it might be worthwhile buying forty-nine of them, but the market value of the fiftieth (to the same customer) would be zero. It is possible to buy votes in most corporations by purchasing common stock. If their policies are entirely controlled by simple majority votes, then there is no more power to be gained after one share more than 50% has been acquired.[3]

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[1] See J. von Neumann and O. Morgenstern, *Theory of Games and Economic Behavior* (Princeton, 1944, 1947, 1953), pp. 420 ff.

[2] See K. J. Arrow, *Social Choice and Individual Values* (New York, 1951), p. 7.

Let us consider the following scheme: There is a group of individuals all willing to vote for some bill. They vote in order. As soon as a majority[4] has voted for it, it is declared passed, and the member who voted last is given credit for having passed it. Let us choose the voting order of the members randomly. Then we may compute the frequency with which an individual belongs to the group whose votes are used and, of more importance, we may compute how often he is *pivotal*. This latter number serves to give us our index. It measures the number of times that the action of the individual actually changes the state of affairs. A simple consequence of this formal scheme is that where all voters have the same number of votes, they will each be credited with 1/*n*th of the power, there being *n* participants. If they have different numbers of votes (as in the case of stockholders of a corporation), the result is more complicated; more votes mean more power, as measured by our index, but not in direct proportion (see below).

Of course, the actual balloting procedure used will in all probability be quite different from the above. The "voting" of the formal scheme might better be thought of as declarations of support for the bill, and the randomly chosen order of voting as an indication of the relative degrees of support by the different members, with the most enthusiastic members "voting" first, etc. The *pivot* is then the last member whose support is needed in order for passage of the bill to be assured.

Analyzing a committee chairman's tie-breaking function in this light, we see that in an *odd* committee he is pivotal as often as an ordinary member, but in an *even* committee he is never pivotal. However, when the number of members is large, it may sometimes be better to modify the strict interpretation of the formal system, and say that the number of members in attendance is about as likely to be even as odd. The chairman's index would then be just half that of an ordinary member. Thus, in the U.S. Senate the power index of the presiding officer is—strictly—equal to 1/97. Under the modified scheme it is 1/193. (But it is zero under either interpretation when we are considering decisions requiring a two-thirds majority, since ties cannot occur on such votes.) Recent history shows that the "strict" model may sometimes be the more realistic: in the present Senate (1953–54) the tie-breaking power of the Vice President, stemming from the fact that 96 is an even number, has been a very significant factor. However, in the passage of ordinary legislation, where perfect attendance is unlikely even for important issues, the modified scheme is probably more appropriate.

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[3] For a brief discussion of some of the factors in stock voting see H. G. Gothman and H. E. Dougall, *Corporate Financial Policy* (New York, 1948), pp. 56–61.

[4] More generally, a minimal winning coalition.

For Congress as a whole we have to consider three separate bodies which influence the fate of legislation. It takes majorities of Senate and House, with the President, or two-thirds majorities of Senate and House without the President, to enact a bill. We take all the members of the three bodies and consider them voting[5] for the bill in every possible order. In each order we observe the relative positions of the straight-majority pivotal men in the House and Senate, the President, and also the 2/3-majority pivotal men in House and Senate. One of these five individuals will be the pivot for the whole vote, depending on the order in which they appear. For example, if the President comes after the two straight-majority pivots, but before one or both of the 2/3-majority pivots, then he gets the credit for the passage of the bill. The frequency of this case, if we consider all possible orders (of the 533 individuals involved), turns out to be very nearly 1/6. This is the President's power index. (The calculation of this value and the following is quite complicated, and we shall not give it here.) The values for the House as a whole and for the Senate as a whole are both equal to 5/12, approximately. The individual members of each chamber share these amounts equally, with the exception of the presiding officers. Under our "modified" scheme they each get about 30% of the power of an ordinary member; under the "strict" scheme, about 60%. In brief, then, the power indices for the three bodies are in the proportion 5:5:2. The indices for a *single* congressman, a *single* senator, and the President are in the proportion 2:9:350.

In a multicameral system such as we have just investigated, it is obviously easier to defeat a measure than to pass it.[6] A coalition of senators, sufficiently numerous, can block passage of any bill. But they cannot push through a bill of their own without help from the other chamber. This suggests that our analysis so far has been incomplete—that we need an index of "blocking power" to supplement the index already defined. To this end, we could set up a formal scheme similar to the previous one, namely: arrange the individuals in all possible orders and imagine them casting *negative* votes. In each arrangement, determine the person whose vote finally defeats the measure and give him credit for the block. Then the "blocking power" index for each person would be the relative number of times that he was the "blocker."

Now it is a remarkable fact that the new index is exactly equal to the index of our original definition. We can even make a stronger assertion: *any scheme for imputing power among the members of a committee system either yields the power index defined above or leads to a logical inconsistency.* A proof, or even a precise formulation, of this assertion would involve us too deeply in mathematical symbolism for the purposes of the present paper.[7] But we can conclude that the scheme we have been using (arranging the individuals in all possible orders, etc.) is just a convenient conceptual device; the indices which emerge are not peculiar to that device but represent a basic element of the committee system itself.

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[5] In the formal sense described above.

[6] This statement can be put into numerical form without difficulty, to give a quantitative description of the "efficiency" of a legislature.

[7] The mathematical formulation and proof are given in L. S. Shapley, "A Value for N-Person Games," *Annals of Mathematics Study No. 28* (Princeton, 1953), pp. 307–17. Briefly stated, any alternative imputation scheme would conflict with either *symmetry*

We now summarize some of the general properties of the power index. In pure *bi*cameral systems using simple majority votes, each chamber gets 50% of of the power (as it turns out), regardless of the relative sizes. With more than two chambers, power varies inversely with size: the smallest body is most powerful, etc. But no chamber is completely powerless, and no chamber holds more than 50% of the power. To illustrate, take Congress without the provision for overriding the President's veto by means of two-thirds majorities. This is now a pure tricameral system with chamber sizes of 1, 97, and 435. The values come out to be slightly under 50% for the President, and approximately 25% each for the Senate and House, with the House slightly less than the Senate. The exact calculation of this case is quite difficult because of the large numbers involved. An easier example is obtained by taking the chamber sizes as 1, 3, and 5. Then the division of power is in the proportions 32:27:25. The calculation is reproduced at the end of this paper.

The power division in a multicameral system also depends on the type of majority required to pass a bill. Raising the majority in *one* chamber (say from one-half to two-thirds) increases the relative power of that chamber.[8] Raising the required majority in all chambers simultaneously weakens the smaller house or houses at the expense of the larger. In the extreme case, where unanimity is required in every house, each individual in the whole legislature has what amounts to a veto, and is just as powerful as any other individual. The power index of each chamber is therefore directly proportional to its size.

We may examine this effect further by considering a system consisting of a governor and a council. Both the governor and some specified fraction of the council have to approve a bill before it can pass. Suppose first that council approval has to be unanimous. Then (as we saw above) the governor has no more power than the typical councilman. The bicameral power division is in the ratio 1:N, if we take N to be the number of councilmen. If a simple majority rule is adopted, then the ratio becomes 1:1 between governor and council. That is, the governor has N times the power of a councilman. Now suppose that the approval of only one member of the council is required. This means that an individual councilman has very little chance of being pivotal. In fact the power division turns out to be N:1 in favor of the governor.[9] If

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(equal power indices for members in equal positions under the rules) or *additivity* (power distribution in a committee system composed of two strictly independent parts the same as the power distributions obtained by evaluating the parts separately).

[8] As a general rule, if one component of a committee system (in which approval of all components is required) is made less "efficient"—i.e., more susceptible to blocking maneuvers—then its share of the total power will increase.

[9] In the general case the proportion is $N-M+1:M$, where M stands for the number of councilmen required for passage.

votes were for sale, we might now expect the governor's price to be N^2 times as high as the average councilman's.

Several other examples of power distribution may be given. The indices reveal the decisive nature of the veto power in the United Nations Security Council. The Council consists of eleven members, five of whom have vetoes. For a substantive resolution to pass, there must be seven affirmative votes and no vetoes. Our power evaluation gives 76/77 or 98.7% to the "Big Five" and 1/77 or 1.3% to the remaining six members. Individually, the members of the "Big Five" enjoy a better than 90 to 1 advantage over the others.

It is well known that usually only a small fraction of the stock is required to keep control of a corporation. The group in power is usually able to muster enough proxies to maintain its position. Even if this were not so, the power of stockholders is not directly proportional to their holding, but is usually biased in favor of a large interest. Consider one man holding 40% of a stock while the remaining 60% is scattered among 600 small shareholders, with 0.1% each. The power index of the large holder is 66.6%, whereas for the small holders it is less than 0.06% apiece. The 400:1 ratio in holdings produces a power advantage of better than 1000:1.[10]

The preceding was an example of a "weighted majority game." Another example is provided by a board with five members, one of whom casts two extra votes. If a simple majority (four out of seven votes) carries the day, then power is distributed 60% to the multivote member, 10% to each of the others. To see this, observe that there are five possible positions for the strong man, if we arrange the members in order at random. In three of these positions he is pivotal. Hence his index is equal to 3/5. (Similarly, in the preceding example, we may compute that the strong man is pivotal 400 times out of 601.)

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The values in the examples given above do not take into account any of the sociological or political superstructure that almost invariably exists in a legislature or policy board. They were not intended to be a representation of present day "reality." It would be foolish to expect to be able to catch all the subtle shades and nuances of custom and procedure that are to be found in most real decision-making bodies. Nevertheless, the power index computations may be useful in the setting up of norms or standards, the departure from which will serve as a measure of, for example, political solidarity, or regional or sociological factionalism, in an assembly. To do this we need an empirical power index, to compare with the theoretical. One possibility is as follows: The voting record of an individual is taken. He is given no credit for being on the losing side of a vote. If he is on the winning side, when n others voted with him, then he is awarded the probability of his having been the pivot (or blocker, in the case of a defeated motion), which is 1/n+1. His probabilities are then averaged over all votes. It can be shown that this measure gives more weight than the norm does to uncommitted members who hold the "balance of power" between extreme factions. For example, in a nine-man committee which contains two four-man factions which always oppose each other, the lone uncommitted member will always be on the winning side, and will have an observed index of 1/5, compared to the theoretical value of 1/9.

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[10] If there are two or more large interests, the power distribution depends in a fairly complicated way on the sizes of the large interests. Generally speaking, however, the small holders are better off than in the previous case. If there are two big interests, equal in size, then the small holders actually have an advantage over the large holders, on a power per share basis. This suggests that such a situation is highly unstable.

A difficulty in the application of the above measure is the problem of finding the correct weights to attach to the different issues. Obviously it would not be proper to take a uniform average over all votes, since there is bound to be a wide disparity in the importance of issues brought to a vote. Again, in a multicameral legislature (or in any more complicated system), many important issues may be decided without every member having had an opportunity to go on record with his stand. There are many other practical difficulties in the way of direct applications of the type mentioned. Yet the power index appears to offer useful information concerning the basic design of legislative assemblies and policy-making boards.

* * *

APPENDIX

The evaluation of the power distribution for a tricameral legislature with houses of 1, 3, and 5 members is given below:

There are 504 arrangements of five X's, three O's, and one ϕ, all equally likely if the nine items are ordered at random. In the following tabulation, the numbers indicate the number of permutations of predecessors ( ) and successors [ ] of the final pivot, marked with an asterisk. The dots indicate the pivots of the three separate houses.

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\phi}\;\underset{*}{\dot{\mathrm{X}}}\;\mathrm{X}\;\mathrm{X}$ (60) [1]

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{X}\;\mathrm{X}\;\dot{\phi}\;\underset{*}{\dot{\mathrm{X}}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}$ (30) [3]

150 pivots for X

$\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\mathrm{X}\;\dot{\phi}\;\underset{*}{\dot{\mathrm{O}}}\;\mathrm{O}$ (42) [1]

$\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\dot{\phi}\;\underset{*}{\dot{\mathrm{O}}}\;\mathrm{O}\;\mathrm{X}$ (30) [2]

$\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\dot{\phi}\;\underset{*}{\dot{\mathrm{O}}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}$ (20) [3]

162 pivots for O

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\mathrm{X}\;\underset{*}{\dot{\phi}}$ (56)

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\underset{*}{\dot{\phi}}\;\mathrm{X}$ (35) [1]

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\underset{*}{\dot{\phi}}\;\mathrm{X}\;\mathrm{X}$ (20) [1]

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\mathrm{X}\;\underset{*}{\dot{\phi}}\;\mathrm{O}$ (21) [1]

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\mathrm{X}\;\underset{*}{\dot{\phi}}\;\mathrm{O}\;\mathrm{X}$ (15) [2]

$\mathrm{O}\;\dot{\mathrm{O}}\;\mathrm{X}\;\mathrm{X}\;\dot{\mathrm{X}}\;\underset{*}{\dot{\phi}}\;\mathrm{O}\;\mathrm{X}\;\mathrm{X}$ (12) [3]

192 pivots for ϕ

Power indices for the houses are 192/504, 162/504, and 150/504, and hence are in the proportion 32:27:25, with the smallest house the strongest. Powers of the individual members are as 32:9:9:9:5:5:5:5:5.

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IN AMERICAN UNIVERSITIES*

COMPILED BY FRANCIS E. ROURKE

The Johns Hopkins University

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* Similar lists have been printed in the REVIEW as follows: V, 456 (1911); VI, 464 (1912); VII, 689 (1913); VIII, 488 (1914); XIV, 155 (1920); XVI, 497 (1922); XIX, 171 (1925); XX, 660 (1926); XXI, 645 (1927); XXII, 736 (1928); XXIII, 795 (1929); XXIV, 799 (1930); XXV, 798 (1931); XXVI, 769 (1932); XXVII, 680 (1933); XXVIII, 766 (1934); XXIX, 713 (1935); XXX, 811 (1936); XXXI, 772 (1937); XXXII, 796 (1938); XXXIII, 732 (1939); XXXIV, 767 (1940); XXXV, 752 (1941); XXXVI, 734 (1942); XXXVII, 706 (1943); XXXVIII, 766 (1944); XXXIX, 779 (1945); XL, 775 (1946); XLI, 754 (1947); XLII, 759 (1948); XLIII, 787 (1949); XLIV, 689 (1950); XLV, 779 (1951); XLVI, 819 (1952); XLVII, 811 (1953).

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II. DISSERTATIONS COMPLETED SINCE THE LAST LISTING

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Harold W. Adams; A.B., Connecticut, 1949; A.M., North Carolina, 1950; Ph.D., Clark, 1954. Heinrich von Treitschke, 1834–1874: The Road to Berlin. *Clark.*

Mary E. Blagg; B.S., Texas State College for Women, 1942; M.A., *ibid.*, 1943; M.A., Kentucky, 1947; Ph.D., Duke, 1954. Tory Political Theory in America, 1765–1776. *Duke.*

Burton R. Brazil; B.A., California (Los Angeles), 1941; Ph.D., Stanford, 1954. Loyalty Oaths in California: Theoretical Background and Implications. *Stanford.*

John H. Bunzel; A.B., Princeton, 1948; M.A., Columbia, 1949; Ph.D., California (Berkeley), 1954. Political Ideologies of Small Business: A Study of the Conference of American Small Business Organizations. *California* (Berkeley).

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Harry H. Eckstein; B.A., Harvard, 1948; M.A., *ibid.*, 1950; Ph.D., *ibid.*, 1954. Rational Direction in the British Health Service. *Harvard.*

James V. Elliott; B.S., Boston University, 1943; M.A., *ibid.*, 1947; Ph.D., Harvard, 1954. The Political and Social Thought of Daniel DeFoe: A Study in the Rise of Liberalism as an Ideology. *Harvard.*

Victor C. Ferkiss; B.A., California, 1948; M.A., *ibid.*, 1949; M.A., Yale, 1950; Ph.D., Chicago, 1954. The Political and Economic Philosophy of American Fascism. *Chicago.*

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John P. Green; M.A., Chicago, 1948; Ph.D., *ibid.*, 1953. The Philosophic Premises of Locke's Politics: The Doctrine of the Law of Nature. *Chicago.*

Philip S. Haring: B.A., Harvard, 1937; M.A., Chicago, 1953; Ph.D., *ibid.*, 1954. Major Problems in Modern Political Philosophy. *Chicago.*

Robert H. Horwitz; B.A., Amherst, 1946; M.A., Hawaii, 1950; Ph.D., Chicago, 1954. The Political Philosophy of Civic Education. *Chicago.*

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Stanley J. Parry; B.A., Notre Dame, 1941; M.A., Georgetown, 1947; Ph.D., Yale, 1954. The Political Science of Johannes Althusius. *Yale.*

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Philip Rieff; B.A., Chicago, 1946; M.A., *ibid.*, 1947; Ph.D., *ibid.*, 1954. Freud's Contribution to Political Philosophy. *Chicago.*

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Redmond J. Allman; B.B.A., Boston University, 1940; A.M., Notre Dame, 1947; Ph.D., *ibid.*, 1954. Variation in the Number of Associate Justices on the Supreme Court of the United States from 1801 to 1869. *Notre Dame.*

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BOOK REVIEWS, NOTES, AND BIBLIOGRAPHY

BIBLIOGRAPHICAL ARTICLE 826

A Selective Survey of the Literature in the Social Sciences and Related Fields on Modern North Africa. BENJAMIN RIVLIN 826

REVIEWS OF BOOKS 849

Pritchett, Civil Liberties and the Vinson Court. JACK W. PELTASON 849

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Dauer, The Adams Federalists. FRANK GRACE 856

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Wild, Plato's Modern Enemies and the Theory of Natural Law; *Levinson*, In Defense of Plato. ERIC VOEGELIN 859

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Richards, War Labor Boards in the Field. BYRON R. ABERNETHY 870

BOOK NOTES AND BIBLIOGRAPHY 872

AMERICAN GOVERNMENT AND POLITICS 872

FOREIGN AND COMPARATIVE GOVERNMENT 882

INTERNATIONAL LAW AND RELATIONS 895

POLITICAL THEORY, RESEARCH, AND METHODOLOGY 905

BIBLIOGRAPHICAL ARTICLE

A SELECTIVE SURVEY OF THE LITERATURE IN THE SOCIAL SCIENCES AND RELATED FIELDS ON MODERN NORTH AFRICA*

I. A NOTE ON NORTH AFRICAN STUDIES

One of the significant developments in American higher education and scholarship since World War II is the great interest shown in the relatively new discipline of area studies. This new interest is reflected in language study, where the science of linguistics applied during the war in the various armed service education programs opened the way to a study of even the most esoteric tongues. The new interest has perhaps penetrated even more deeply in the social sciences, including political science and international relations.

Institutes and programs devoted to the study of particular areas have emerged throughout the country, but in the carving up of the world into areas of study by American scholars, North Africa seems to have been left out. The area falls somewhere between the Middle or Near East and Africa. Geographically, it belongs to Africa; but it is separated from the major portion of the continent by the Sahara. The tendency among Africanists (most of whom have been anthropologists) has been to disregard Africa north of the Sahara, not only because of the great desert divide but also because the indigenous North African population is not of the same racial strain as most of the peoples south of the Sahara; nor is it as primitive. North Africa has been a seat of civilization for thousands of years—dating back to the pre-Christian era and extending down through a flourishing Christian civilization that was replaced more than a thousand years ago by the Moslem culture that still prevails in the area. It is the Moslem culture that ties North Africa to the Middle and Near East; but Middle or Near Eastern specialists have generally included only Egypt in their study. The great Libyan desert, the projection of the Sahara northward to the Mediterranean, has served effectively as a barrier between Egypt and the Near East on the one hand, and the rest of North Africa on the other. North Africa has thus, with certain few exceptions, been ignored by Africanists and the Middle and Near Eastern specialists. This is the case not only with Americans but with European scholars as well. The notable exceptions have been provided by the scholars of the countries that have had prolonged direct contact with the area, i.e., France, Italy, and Spain.

There are cogent reasons why North Africa should merit the particular attention of American scholars, other than that which is accorded it as an appendage to the Near East or as a misfit in the field of African studies. First, there is the obvious reason that the new role of the United States as a world power makes it incumbent upon American scholars to study all areas of the world. The area of North Africa currently occupies an important place in United States foreign affairs, as it did in the period of the Barbary pirates and during World War II. It is fairly certain that the current American interest will be a more lasting one than either of the previous contacts with the area. At present, whatever research in the political, social, and economic conditions and institutions in the area is going on in this country seems to be confined to researchers within the government of the United States. This is undoubtedly a great improvement over the situation that existed in 1941 when United States officials, faced with a sudden demand for information, scampered frantically for knowledge of any kind about the region.

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A second reason why American social scientists should be interested in research on North Africa is that the area poses a number of highly significant problems in human relations. North Africa is an area in which one of the fundamental problems of our times—the working out of an imperialist-colonialist relationship—is coming to a head. In it are to be found the problems created by the impact of an advanced (in the material and technological senses at least) culture on the existing "backward" native culture, and by the process of adjustment and change that takes place in the latter under this impact. In French North Africa the problem is present with further complicating factors, because it involves not only the introduction of the advanced Western culture but also the settlement among the native population, proud possessors of a long cultural heritage and tradition, of large numbers of people bringing with them their contrasting Western cultural pattern. To a lesser extent this is the case in Libya, where it is a problem in Tripolitania. Thus, the problem involves not merely the adjustment of the native Islamic society to the innovations of the European culture but also the mutual adjustment of the two cultures, existing side by side. It is not surprising that this dual-cultural background should give rise to a bitter struggle for power, in some respects not unlike the struggles taking place in South Africa and East Africa. The implications of the socio-political issues in North Africa—nationalism, democracy, the working out of a pluralistic society, European settlement, the development of backward areas, etc.—extend well beyond the confines of North Africa and merit more serious attention by American social scientists.

II. BIBLIOGRAPHIES

There are very few bibliographical collections on North Africa. As a result of the sudden interest of the United States in North Africa during World War II, several bibliographical lists were prepared in the Library of Congress, the most extensive of these being *French Colonies in Africa: A List of References*, compiled by Helen F. Conover (G.P.O., Washington, 1942). This bibliography devotes much of its space to French North Africa. "List of References on the Spanish Colonies in Africa," compiled by Florence S. Hellman (July 16, 1942) and "List of References on the Italian Colonies in Africa," compiled by Grace Hadley Fuller (August 13, 1942, with a supplement issued in 1947), are available on loan in negative photostat from the General Reference and Bibliography Division of the Library of Congress. The European Division of the Library of Congress has recently prepared a bibliography on all of Africa which includes special sections on North Africa. This bibliography, *Introduction to Africa: A Selective Guide to Background Reading* (The University Press, Washington, 1952), is, as its title implies, elementary and highly selective.

The bibliographies in foreign languages do not offer much more choice. For Morocco, the Institut des Hautes Études Marocaines publishes an extensive bibliography on all phases of Moroccan life in its review *Hespéris*, under the title "Bibliographie Marocaine." The bibliographies from 1923–1933 were combined by Pierre de Cernival, Christian Franck-Brentano, and Marcel Bousser and published as one volume (Larose, Paris, 1937). For the political scientist, the *Hespéris* is disappointing because of its very slight reference to political and governmental problems. The government of Spanish Morocco has published several bibliographies, of which the *Católogo de Materias (obras relativas al Islam y África) de La Biblioteca Géneral del Protectorado* (Tetuan, Spanish Morocco, Marroqui, 1952) is the most extensive. There are specialized bibliographies: Julien Franc's *L'Histoire de la Colonisation de l'Algérie: Les Sources d'Archives* (Algiers, 1928); and *Bibliographie Militaire des Ouvrages Français et des Articles des Principales Revues Françaises Relatifs a l'Algérie, à la Tunisie et au Maroc de 1830 a 1926* (État-Major de l'Armeé, Service Historique, Paris, 1930–1935).

The Middle East Journal has published two important bibliographical articles on part of the area included in this article: Manfred Halpern, "Recent Books on Moslem-French Relations in Algeria," Vol. 3, pp. 211–15 (Apr., 1949); and "Literature on Arab Libya" by James W. Crudington, Vol. 6, pp. 247–51 (Spring, 1952).

It seems appropriate at this point to make mention of some of the leading foreign research institutes concerned with North African affairs. In France and in French North Africa, there are: Institut des Hautes Études Marocaines (Paris and Rabat); Centre des Hautes Études d'Administration Musulmane (Paris); Institut des Sciences Administratives, Sociales et Coloniales (Algiers); Institut des Hautes Études Tunisiennes (Tunis). In Italy, there are: Centro di Studi Coloniali (Florence), Centro di Studi e Scambi Internazionali (Palermo), and Instituto Agricolo Coloniale (Florence).

III. LIMITATIONS OF THE BIBLIOGRAPHY

Before proceeding with the bibliography proper, the reader should be aware of the limitations that govern it. One limitation has already been alluded to, namely the extent of the geographic area covered. The political units involved are Morocco, Algeria, Tunisia (these three countries are often commonly referred to as French North Africa), and Libya. Egypt is excluded, although it is geographically in North Africa, because it has traditionally been considered an integral part of the Near or Middle East. A second limitation is implied in the title of the article. This article deals with modern North Africa; it is not concerned with the period of classic antiquity, for which there exists a considerable body of literature. Naturally, some reference will be made to works of an historical nature, but the main emphasis will be on the literature that contributes to an understanding of the contemporary scene.

The purpose of the article is to acquaint American scholars with the literature on the area and, ancillary to that, to call their attention to the interest it has for the social science researcher and scholar. It does not deal exclusively with works falling traditionally within the scope of political science. Neither is it an exhaustive examination of the literature, particularly with regard to the contributions in foreign languages, which have been treated in a highly selective manner. No attempt is made to include any of the literature in Arabic.

An examination of the literature in the field will reveal that it is, at best, uneven. This is true for both the English and non-English works. The literature in English is quantitatively and, with some few exceptions, qualitatively weak. The non-English literature is quantitatively rich but quite uneven in quality. There are the works of men like Julien, Montagne, and Despois that are in the best tradition of sound scholarship, but there are also many volumes of marginal quality.

Following a description of works dealing with more than one of the political units, the literature will be surveyed country by country. Since the aim is to introduce the area to Americans, some of the more significant journal articles in English will be included. No attempt will be made to deal with the vast array of periodical literature appearing in French, Spanish, and Italian. Neither will this bibliography attempt to delve into the general field of Islamic civilization and culture, except to call attention to certain references of particular interest to the area. Each of the sections will begin with works dealing with the historical, cultural, social, and economic background of the area. Due to the inadequacy of scholarly literature in English, some of the more outstanding writings of journalists and non-technical writers will be noted. A fairly large body of literature in this popular category has been built up. Often the insight to be gathered from these works is better than that to be had from ponderous scholarly tomes.

Except where they shed light upon the institutions and problems of the area itself, works concerning the Allied Occupation and problems arising from it that pertain exclusively to World War II are omitted.

IV. GENERAL WORKS

North Africa was once one of the main centers of Islamic culture and civilization. Today, the *Maghrib* (the West), as North Africa is called in Arabic, no longer occupies the place it used to in the Moslem World. Nevertheless, it is part of it and in thinking of North Africa one must not lose sight of this fact. The dilemma of the dual-cultural pattern in North Africa exists because of the significance of this Islamic heritage to the people of the area. For a general introduction to the Islamic world the reader is referred to Carl Brocklemann, *History of Islamic Peoples,* translated from the German by Joel Carmichael and Moshe Pearlmann (Putnam, New York, 1947); H. A. R. Gibb's *Mohammed-*

anism (Oxford University Press, London, 1949) and his *Modern Trends in Islam* (University of Chicago Press, Chicago, 1945); George E. Birk's *A Short History of the Middle East from the Rise of Islam to Modern Times* (Public Affairs Press, Washington, 1949); and Roger Le Tourneau's *Islam Contemporain* (Les Editions Internationales, Paris, 1950).

Concerning Islamic practice in North Africa, there is Professor G. H. Bousquet's *L'Islam Maghrebin: Introduction à l'Étude Générale de l'Islam* (La Maison des Libres, Algiers, 3rd ed., 1949). Herbert J. Liebesney's bibliographical article, "Literature on the Law of the Middle East," *The Middle East Journal*, Vol. 3, pp. 461–69 (Oct., 1949), can also be consulted for works on Islamic law pertaining to North Africa.

Few works encompass the entire area delimited for this bibliography, i.e., French North Africa and Libya. Indeed it is a formidable task to deal with the entire area, for despite the many similarities in culture, language, religion, and social and political problems that one finds throughout the area, the many divergencies in history, ethnology, geography, etc., detract from its homogeneity. Yet there have been some daring souls who braved the difficulties and who have achieved a modicum of success. Their works serve as a good general introduction to the area.

Carleton S. Coon's *Caravan: The Story of the Middle East* (Henry Holt, New York, 1951) is the most ambitious and the most satisfying of works of this kind. Bringing to bear the vast knowledge, understanding, and insight accumulated from some twenty-five years of working in North Africa and the Middle East, Coon has produced a remarkable book about the area and its people. *Caravan* covers the Near or Middle East as well as North Africa west of Egypt. This does not detract from the significance of the book for anyone interested in North Africa, particularly since it reflects the author's great familiarity with parts of the area. The importance of the work lies in its successful portrayal of the social milieu and the pattern of life of the North African native population. Coon has also written a shorter and somewhat less satisfying introduction to the area in a 54-page chapter entitled "North Africa" in *Most of the World: The Peoples of Africa, Latin America and the East Today* (Columbia University Press, New York, 1949), edited by the late Ralph Linton. A more specialized work treating North Africa and Western Asia is Robert Montagne's *La Civilisation du Desert Nomades d'Orient et d'Afrique* (Hachette, Paris, 1947). This is a sociological study of the Bedouins, of particular interest to North Africa because it traces the interaction of Arabs and Berbers.

Another highly ambitious and unique work is Galbraith Welch's *North African Prelude: The First Seven Thousand Years* (Wm. Morrow & Co., New York, 1949). Although covering much of the same area as Coon's *Caravan*, this book is in no way comparable. Whereas Coon's volume is analytical and organized institutionally, this is essentially descriptive and chronological—the work of a romantic writer who, having had extensive experience in the area, was prompted to write this book by the sudden interest in North Africa aroused by the early events of World War II. Within the confines of some 620 pages, the author has set down in a light, readable, but somewhat discursive manner, the history of North Africa from the time of the earliest recorded period to the present. Although designed for the general reader, it is of some value to serious students as well.

Interest in North Africa during World War II prompted other publications. Among these are Alan Houghton Broderick's *North Africa* (Oxford University Press, London and New York, 1942), a little volume in "The World Today Series." Not a pretentious work, it is useful as a brief informal account of the geography, history, economics, politics, and social conditions of Libya, Algeria, Tunisia, and Morocco. The fact that some portions of the book deal with problems of special interest during the war make it somewhat dated. Serving a similar purpose is the Royal Institute of International Affairs' 26-page pamphlet, *North Africa*, published in May, 1943 as No. 2 in the RIIA's series of Information Notes. Among works dealing with North Africa from Morocco through Libya mention should be made of Robin Maugham's *North African Notebook* (Chapman and Hall, London, 1948), a vivid personal account by an observant young British writer, somewhat sympathetic to Arab nationalism, of his six months' stay in the area.

Turning to the general works on French North Africa, there is first Charles-André Julien's monumental *Histoire de l'Afrique du Nord* (Payot, Paris, in one and two volume editions, 1931.) Julien is in the process of revising this work, which is recognized as standard in the field, and thus far two revised volumes have appeared. The first volume, "Des Origines à la Conquête Arabe 647 A.D.," was revised with the aid of Christian Courtois and appeared in 1951. Roger Le Tourneau aided in the revision of the second volume, "De la Conquète Arab à 1830." Julien, who is Professor of History at the Sorbonne, covers the history of North Africa from antiquity to contemporary times and the work contains a most comprehensive bibliography. Jean Despois' *L'Afrique du Nord* (Presses Universitaires de France, Paris, 1949) is another work of high scholarship. This work, although mainly concerned with economic geography, contains sections on history, human geography, political institutions, and cultural development. Among the more important subjects treated is the effect of European colonization on the native society and population. An extensive bibliography is included. Also bridging the ethnological and historical fields, and concerned with one of the fundamental problems in the area—that of the relations between Arabs and Berbers—is Eugene Guernier's *La Berberie, l'Islam et la France* (Editions l'Union Française, Paris, 1950, 2 vols.). The author goes back to the earliest history of the region in surveying the background of the indigenous Berber population that predated the Arab invasions. Volume I is concerned with this early history while Volume II deals with the modern period under French rule. Another difficult ethnological problem in French North Africa involves the indigenous Jewish population. André Chouraqui's *Les Juifs d'Afrique du Nord* (Presses Universitaires de France, Paris, 1952) contributes much to an understanding of the Jewish communities.

Population growth in backward areas is one of the burning social problems of our times and this problem in French North Africa, together with its social and economic consequences, is the subject of Louis Chevalier's *Le Problème Démographique Nord Africain* (Presses Universitaires de France, Paris, 1947), published as Cahier No. 6 of the Institut National d'Etudes Démographiques' "Travaux et Documents" series. Many of the problems considered by Chevalier are discussed from a different vantage point in *Industrialisation de l'Afrique du Nord* (Colin, Paris, 1952), a study undertaken by the Centre d'Études de Politique Étrangère with aid from the Rockefeller Foundation. This is a collection of many brief studies and essays by experts, including Despois, Montagne, Chevalier, and others, many of whom are either in the North African administrations or closely associated with them. The problem of industrialization is analyzed from every angle by the contributors: geographic, technical, financial, commercial, political, administrative, and social. Both this work and Chevalier's are highly useful for the raw material and statistical data they contain. Professor Melvin M. Knight of the University of California, one of the few American scholars who have devoted attention to North Africa, has written a provocative article on North African demography and land utilization. The article, "Economic Space for Europeans in French North Africa," appearing in the February, 1953 issue of *Economic Development and Social Change,* published by the University of Chicago's Research Center in Economic Development and Cultural Change, is in a sense a critical evaluation of most of the recent French research on the problem.

A good survey of French North Africa's physical environment is to be found in P. Boudy's *Économie Forestière Nord-Africaine, Vol. 1: Milieu Physique et Milieu Humain* (Larose, Paris, 1948). In 1952, when interest in French North Africa was heightened as the questions of Tunisia and Morocco were being raised at the United Nations, the Office of Technical Publications of the French Prime Minister issued a 50-page pamphlet with charts, graphs, statistics, and photographs entitled *Facts and Figures about French North Africa.* Naturally, the facts and figures are selective, designed to illustrate "what has been accomplished in Algeria, Tunisia and Morocco under French administration." There are few official publications of documents or statistics for French North Africa as a whole, these being issued separately by the governments of Algeria, Tunisia, and Morocco. The French government publishes annually the *Revue Algérienne Tunisienne et Marocaine de Legislation et de Jurisprudence,* a convenient compilation of legislation, court decisions, and articles on legal questions. It also issues some non-legal documentation on Algeria, Morocco, and Tunisia in the *Notes et Études Documentaires* series of *La Documentation Française.* In addition, the Service de Presse et d'Information of the French Embassy in New York issues *News from France* in which there are separate series for these areas.

Since French North Africa is not a political entity, works dealing with the governmental framework of the area as a whole are scarce. Herbert J. Liebesny's *The Government of French North Africa* (University of Pennsylvania Press, Philadelphia, 1943) is perhaps the only work of this kind in English or French. Written during the war, it is now to a considerable extent outdated, but remains a useful analysis of the administrative and legal systems of the area up to 1942.

The standard authoritative reference work on the law of French overseas territories is Arthur Girault's *Les Principes de Colonisation et de Législation Coloniale*, first published in 1895 and revised in 1936 and 1938 by Louis Milliot. Volume 4 is concerned exclusively with Algeria while Volume 5 is devoted to Tunisia and Morocco, including the international zone of Tangier. In addition to their accurate documentation, the Girault-Milliot work presents in Volume 4 a bibliography on North Africa in general and on Algeria in particular, and in Volume 5 a bibliography on Tunisia and Morocco.

An understanding of governmental and political problems in French North Africa requires a knowledge of French colonial policy. Two works in English, while not concerned exclusively with French North Africa, are important in this connection. The first is Stephen Henry Roberts' *History of French Colonial Policy, 1870–1925* (King, London, 1927, 2 vols.), a thorough exposition including social and economic as well as political aspects of French policy. The second is Herbert Ingram Priestly's *France Overseas: A Study of Modern Imperialism* (Appleton-Century, New York, 1938), published under the auspices of the American Historical Association. This is a fine work in which each North African territory is given individual treatment. The most recent treatise on French colonial policy is Professor Georges Hardy's *Histoire Sociale de la Colonisation Française* (Larose, Paris, 1953). Hardy, one of France's leading scholars of French colonialism, includes in this work a brief section on the aftermath of the war, with particular attention to the rise of nationalism. The problem of the French Union, with emphasis on French North Africa, has been discussed by General Georges Catroux in "The French Union," which appeared as the November, 1953, issue of the Carnegie Endowment for International Peace's *International Conciliation*. In this connection, Dorothy Pickles' *French Politics: The First Years of the Fourth Republic* (Royal Institute of International Affairs, New York, 1953) contains chapters on "The Concept of the French Union" and "Achievements and Problems of the French Union." Another useful work in this general area is Daniel Boisdon's *Les Institutions de l'Union Française* (Berger-Levrault, Paris, 1949). An important article in English on the question of the French Union with some reference to North Africa is Julien's "From the French Empire to the French Union," *International Affairs* (London), Vol. 26, No. 4, (October, 1950). François Luchaire's *Manuel de Droit d'Outre-Mer* (Sirey, Paris, 1949) is a legalistic tome, most of which is devoted to French North Africa. The transition from colonial empire to French Union, stressing the wartime and postwar evolution of a new colonial policy, is dealt with in Michel Divèze's *La France d'Outre-Mer, de l'Empire Colonial à l'Union Française, 1938–1947* (Paris, Hachette, 1948). The situation in French North Africa during the war, and its effect upon the people, constitutes part of the story told by Kenneth Pendar, one of Ambassador Robert Murphy's vice-consuls in North Africa during the early part of the war, in his *Adventure in Diplomacy: Our French Dilemma* (Dodd, Mead & Co., New York, 1944).

In the purely political realm, in which the central question is the struggle for power between the rising native Moslem nationalism and the interests of the French settlers and French government, works dealing with the entire area are equally sparse. The most recent work in this field is Julien's *L'Afrique du Nord en Marche: Nationalisme Musulman et Souveraineté Française* (Juilliard, Paris, 1953). This book is critical of French policy and of some nationalist activity, although it is on the whole favorable to the nationalists. It brings together a wealth of material and insight on this difficult problem and, by dealing with the three territories, it adds a needed perspective to the viewing of the nationalist problem. Another recent thoughtful appraisal of the situation in North Africa is René Schaefer's *Drame et Chances de L'Afrique Du Nord* (Les Editions Inter-Nationales, Paris, 1953), which is primarily a discussion of the socio-cultural background of the nationalist-French conflict in North Africa. G. Surden's *La France en Afrique du Nord* (Editions Alger Republicain, Algiers, 1946) is a work by a leading Algerian jurist on the question of the mutual adjustment of the French and Moslem populations of North Africa. Two articles on this subject by Charles-André Julien, both appearing in *Foreign Affairs*, merit mention: (1) "France and Islam," Vol. 18, No. 4, pp. 680–99 (July, 1940); (2) "Crisis and Reform in French North Africa," Vol. 29, No. 3, pp. 445–55 (April, 1951). In the same area, but generally not sharing Julien's viewpoint, are Henry Bénazet's *L'Afrique Française en Danger* (Fayard, Paris, 1947), which deals with other parts of French Africa as well as North Africa, and Bernard Lavergne's *Une Révolution dans la Politique Coloniale de la France: le Problème de l'Afrique du Nord* (Mercure, Paris, 1948). An informed American viewpoint is presented by Vernon McKay in his article "France's Future in North Africa," *The Middle East Journal*, Vol. 2, pp. 293–305 (July, 1948).

Relatively little good work has been done on the prewar rise of nationalism in French North Africa. A factually informative treatment is to be found in two volumes of the Royal Institute of International Affairs' *Survey of International Affairs*, edited by Arnold Toynbee. Volume I of the 1925 *Survey* is entitled *The Islamic World since the Peace Settlement* and its Part II deals with Northwest Africa, including Libya. Volume I of the 1937 *Survey* has a long section on "Unrest in the North-West African Territories under French Rule 1927–1937." An early work, hostile to the liberalization of French policy toward the native population of North Africa, is Charles Louis Collom's *Vérités Nord-Africaines* (Presse Nord-Africaine, Algiers, 1932).

The placing of the Tunisian and Moroccan questions on the agenda of the United Nations raised the issue of the competence of the United Nations to deal with these questions, particularly in view of France's declaration that these were matters essentially within her domestic jurisdiction and hence, in accordance with Article 2, par. 7 of the U.N. Charter, outside the competence of the United Nations. Georges Day's *Les Affaires de la Tunisie et du Maroc* *devant les Nations Unies* (Editions A. Pedone, Paris, 1953) generally supports the French contention. For other arguments on this question, both for and against the French position, the debates on the Tunisian and Moroccan questions in the Security Council and the General Assembly in 1952 and 1953 should be consulted.

V. ALGERIA

Algeria is the part of French North Africa which has had the longest and closest association with France. Unlike Tunisia and Morocco, it is not a protectorate but an overseas territory which, as the Department of Algiers, Constantine, and Oran, has been politically integrated as part of France. In other ways, however, Algeria is distinct from Metropolitan France, particularly in juridical matters concerning the native population. Thus, despite political integration, the social and political problems inherent in the duo-cultural pattern exist in Algeria. This makes the Algerian situation basically similar to the one that prevails in Morocco and Tunisia, although there are distinctions generated by unique local and historical conditions. The absence in the case of Algeria of the drama and urgency that has characterized Tunisian, Moroccan, and Libyan matters before the United Nations is reflected in the relatively scant material that has appeared recently devoted exclusively to Algeria. This is to be regretted, because Algeria is in many ways the crux of the entire dual-cultural problem of North Africa. It is the mainstay of the *colon* spirit in French North Africa and at the same time it is the home of the most uprooted indigenous population and of a growing, restless proletariat.

The history of the French penetration into Algeria has received full treatment by Augustin Bernard in his *L'Algérie* (Alcan, Paris, 1929) and in the chapters on Algeria by Julien in his *Histoire de l'Afrique du Nord.* Victor Piquet's *L'Algérie Française* (Colin, Paris, 1930) is a general review of the first century of French rule with special attention to colonization and administration. A more recent work is Gabriel Esquer's *Histoire de l'Algérie* (Presses Universitaires de France, Paris, 1950), appearing in the excellent *Que Sais-Je?* series of little volumes. Esquer's work is brief but succinct and provides a fairly thorough and reliable survey of the French role in Algeria from 1830 to 1950. The only work in English on the subject is Wilfrid Blunt's *Desert Hawk: Abd el Kader and the French Conquest of Algeria* (Methuen, London, 1947), a popular history of the early period of French penetration into Algeria focused on the activities of the Emir Abd el Kader, the man who rallied stubborn resistance to the French in Algeria. Another recent work is Jean Blottière's *L'Algérie* in the *Terres Lointaines* series (Société d'Editions Géographiques, Paris, 1948). This volume goes back to prehistoric times and is largely a survey of the geography and economy of the country, although it contains some social and political material as well.

Algeria's geography and economy are the subject of M. Larnaude's *Algérie* (Beyer-Levrault, Paris, 1950), which suffers from the failure of the author to integrate his material satisfactorily. An earlier work dealing with the economic resources and possibilities of Algeria and containing a useful bibliography is

Paul Desfeuilles' *L'Algérie* (Roger, Paris, 1931). Algerian ethnology has not received the attention from social scientists that has been accorded in the case of neighboring Morocco. Some important work was done in this area in the latter half of the nineteenth century. More recently there has been Martial Rémond's *La Kabylie* (Bacounnier, Algiers, 1937) and the work of an American missionary, Glora Wysner's *The Kabylie People* (New York, privately printed, 1945). A monograph dealing with the Jews in Algeria and their treatment after the fall of France is Michel Ausky's *Les Juifs d'Algérie* (Editions du Centre, Paris, 1950).

The problem of acculturation has been dealt with by René Maunier in a careful socio-juridical study, *Loi Française et Coutume Indigène en Algérie* (Domat-Montchrestien, Paris, 1932), and by Paul Hustin in *La Doctrine de l'Association des Indigènes et des Français en Algérie* (Domat-Montchrestien, Paris, 1933). Less legalistic is Jean Mélice's *Le Triste Sort des Indigènes Musulmans d'Algérie* (Mercure de France, Paris, 1935), the reflections of a thoughtful man who served in high administrative posts in Algeria and who is troubled by the difficult problem of Franco-Moslem relations in Algeria.

The major political issue in Algeria centers about the role and position of the native population *vis à vis* the French settlers. With the rise of nationalist movements, many governmental changes have taken place during the past decade, partly in response to nationalist agitation, partly to take the wind out of the nationalists' sails, and partly to strengthen the position of the *colon* group. A number of interesting and revealing works deal with this central problem and related issues. Paul-Émile Sarrasin's *La Crise Algérienne* (Cerf, Paris, 1949) is an analysis of the principle nationalist groupings in Algeria. The usefulness of this book is heightened by its sixteen annexes which contain the most significant documents of the past two decades on the question. Sylvain Wisner's *L'Algérie dans l'Impasse: Démission de la France?* (Spartacus, Paris, 1948) is highly critical of official French policy. L. Gray Cowan's "The New Face of Algeria," *Political Science Quarterly*, Vol. 66, No. 3, pp. 340–65 (Sept., 1951) and Vol. 66, No. 4, pp. 507–31 (Dec., 1951), is one of the most thorough discussions in French or English of the important Statute of Algeria of September 20, 1947, which attempted to reconcile the demands of the native population for more political rights with their reluctance to give up their traditional "personal status" (being subject to traditional Koranic law). The legal arguments over the Statute are discussed in Paul Émile Viard's *Les Caractères Politiques et le Régime Legislatif de l'Algérie* (Sirey, Paris, 1949), while the entire Algerian legal system is treated by Jacques Lambert in the first (and thus far the only published) volume of his *Cours de Legislation Algérienne, Tunisienne et Morocaine* (Librarie Ferraris, Algiers, 1949). A decade before the Statute of Algeria was passed, the question of the extension of political rights of the Moslem population was a burning issue as the Léon Blum Popular Front government sought to introduce reforms in this field. This attempt is discussed in another monograph by Viard, *Les Droits Politiques des Indigènes d'Algérie* (Sirey, Paris, 1937). The central figure in the Popular Front's attempt to liberalize French policy was Maurice Violette, a former French Governor-General of Algeria, who drafted the plan of reforms that bore his name, Project Violette. He had previously written a provocative analysis of the question in *L'Algérie Vivra-t-Elle?* (Alcan, Paris, 1931). In May, 1945 Algeria experienced a serious native uprising in the Constantine-Setif region. Manfred Halpern analyzed the event and the rumblings of Algerian native restiveness in a significant article, "The Algerian Uprising of 1945," in *The Middle East Journal*, Vol. 2, pp. 191–202 (April, 1948).

The nationalist movement itself has contributed a fairly substantial body of literature, usually in the form of tracts and pamphlets. This literature is not unimportant, since it is a reflection of the thinking of perhaps the most articulate if not the most influential section of the native population. There are two leading nationalist parties in Algeria—the Union Démocratique du Manifeste Algérien (U.D.M.A.) and the Mouvement pour le Triomphe des Libertés en Algérie (M.T.L.D.) U.D.M.A. generally publishes in the *Editions Libération* while the M.T.L.D. uses the title *Editions Algérienne En-Nahda.*

Of special importance in this category are the writings of the party leaders, Ferhat Abbas of the U.D.M.A. and Messali Hadj of the M.T.L.D. Typical of the many party tracts are Messali Hadj's *Appel aux Nations Unies*, published in Paris in 1948 at the time the U.N. General Assembly was meeting there, and U.D.M.A.'s *Du Manifeste à la République Algérienne*, (July, 1948).

The Algerian government itself publishes some useful documentary material. Since October, 1945, the Service d'Information du Cabinet du Gouverneur Général de l'Algérie has published a series of fascicules entitled *Documents Algériens*, each of which is a brief but complete study of a subject. Five series of *Documents Algériens* appear: *Politique*; *Economique*; *Sociale*; *Militaire*; and *Culturelle.* At the end of each year, the fascicules are bound together and issued as an annual, *Synthèse de l'Activité Algérienne.* The Gouvernement Général de l'Algérie also publishes an annual, *Exposé de la Situation Générale de l'Algérie,* which contains a storehouse of statistical material and summary reports of the activities of all branches of the Algerian government. A singularly interesting companion to this annual is the special *Exposé de la Situation Générale des Territories du Sud de l'Algérie de 1930 à 1946,* published by the Direction des Territories du Sud of the Governor General's office (Imprimerie Officielle, Algiers, 1947). This is one of the very few references available on the southern territories of Algeria. It contains a fine bibliography and an historical survey of the origin and penetration of the territories, as well as the usual statistical, social, economic, geographic, and administrative data. Since 1947 reports on this area have been included in the *Exposé de la Situation Générale de l'Algérie.* Statistical data for Algeria is to be found in the *Annuaire Statistique de l'Algérie,* published by the Service de Statistique Générale.

VI. MOROCCO

The literature on Morocco is more copious than that on any of the other North African territories. Morocco's unique political status, that of a protectorate divided into three zones—French, Spanish, and International (Tangier)—and the distinct role it has played in international politics have no doubt contributed to the volume of writings on the country. Furthermore, the fact that the country, its people, and their problems constitute a veritable laboratory in human relations has no doubt accounted for the serious attention devoted to Morocco by a substantial number of reputable social scientists.

Morocco boasts a long history as an independent state prior to the establishment of the French protectorate in 1912. In fact, Morocco was the only North African country not to come under Ottoman domination, and one can understand the fascination that this country holds for historians. In the realm of general history, the most authoritative contributions are Augustin Bernard's *Le Maroc* (Alcan, Paris, 1931), a work that has gone through more than a half-dozen editions, and the chapters on Morocco in Julien's *Histoire de l'Afrique du Nord,* cited above. A fine survey of Moroccan history and life that also includes an anthology of extracts from many writers is Georges Hardy's *Le Maroc* (Renouvard, Paris, 1930). More recently, two works entitled *Histoire du Maroc* have appeared. One, by Henri Terrasse (Plon, Paris, 1952), is little more than an outline sketch of Moroccan history. Its third part, "The Great Problems of Moroccan History," is perhaps the most rewarding feature of the work, for in it Terrasse focuses attention on some of the fundamental problems that confront Morocco today. Terrasse's history has been translated into English by Hilary Tee as *History of Morocco* (Éditions Atlantides, Casablanca, 1952). Henri Cambon's *Histoire du Maroc* (Hachette, Paris, 1952), after sketching Moroccan history to the nineteenth century, devotes itself in greater detail to the study of Morocco during the past two centuries.

More specialized aspects of Moroccan history have also attracted the attention of scholars. The interrelationship of religion and political and social life is characteristic of any Islamic country and in this area Georges Drague's *Esquise d'Histoire Réligieuse du Maroc: Confrèries et Zaouias* (Peyronnet, Paris 1951) fills the need for a comprehensive treatise on Moroccan religious history. Drague's work is especially valuable for its analysis of the religious brotherhoods and for the substantial amount of original material included in it. Another highly specialized study, on an entirely different aspect of Moroccan history, is Earl Fee Cruickshank's *Morocco at the Parting of the Ways: The Story of Native Protection to 1885* (University of Pennsylvania Press, Philadelphia, 1935), which deals with the extension of foreign diplomatic and consular protection to Moroccan natives during the nineteenth century. Among the most illuminating specialized works is Roger Le Tourneau's *Fès avant le Protectorat* (Société Marocaine de Librairie et d'Edition, Casablanca, 1949). This is an analytical description of the economic and socio-political institutions of Fez, one of the oldest cities in North Africa and the intellectual capital of Morocco for centuries. Le Tourneau, one of France's leading specialists on Moslem affairs, in presenting this meticulous study of life in the thriving city before the impact of European imperialism, has made a profound contribution to the study of Moroccan affairs in particular and of Islamic affairs in general. For the political scientist, Part IV, which treats thoroughly the system of city government, is of particular interest.

The historical background of the French conquest of Morocco has been dealt with by Jean Caloni in *La France au Maroc* (Editions Litéraires et Téchniques, Paris, 1937), while an exposition of the last stages of the French "pacification" of Morocco may be found in René Pinon's *Au Maroc: Fin des Temps Héroiques* (Berger-Levrault, Paris, 1935). The campaign of "pacification" in Morocco and Abd-el-Krim's Rif rebellion in the twenties which prolonged that campaign inspired many popular books, of which the most noteworthy in English are Walter B. Harris' *France, Spain and the Rif* (Longmans, Green and Co., New York, 1927) and Vincent Sheehan's *An American among the Riffi* (The Century, New York, 1926). A work describing Spain's role in Morocco from 1904 to 1927 is *Historia de la Acción de España en Marruecos* (Ibéria, Madrid, 1929).

The outstanding figure in the establishment of the French protectorate was Marshal Louis Lyautey, and his life and work in Morocco have been the subject of a number of biographies. Mention is made here of only the more significant works, such as Georges Hardy's discerning *Portrait de Lyautey* (Bloud et Gay, Paris, 1949), Louis Barthou's *Lyautey de le Maroc* (Le Petit Parisien, Paris, 1931), André Maurois' *Lyautey*, which was translated into English (Appleton, New York, 1931), and the most recent of all, *Lyautey le Marocain* (Hachette, Paris, 1952), by General Georges Catroux. Catroux, who served with Lyautey in Morocco and who since has become one of France's leading authorities on Moroccan and Moslem affairs, has written what is perhaps the most penetrating volume on Lyautey.

There are several works that incorporate within one volume a brief review of Moroccan history together with a survey of the country's geography, economy, social conditions, and governmental organization. One of the most reliable of these works, appearing in the *Terres Lointaines* series, is *Le Maroc*, by Roger Coindreau and Charles Prenz (Société d'Editions Géographiques, Paris, 1949). This book is noteworthy also as one of the few works dealing with all of Morocco—French, Spanish, and Tangier. Other general works are: *Initiation au Maroc* (Editions d'Art et d'Histoire, Paris, 1937, rev. ed. 1945), which contains a set of essays on modern Morocco by members of the Institut des Hautes Études Marocaine; *Maroc*, by J. Célérier (Berger-Levrault, Paris, 1948); *Le Maroc*, by J.-L. Miège (Presses Universitaires de France [*Que Sais-Je?* series], Paris, 1950), which has also appeared in an English translation by O. C. Warden (Nicholas Kaye, London, 1953); and Rom Landau's *Morocco*, which constitutes the September, 1952 (No. 483) issue of *International Conciliation*. A handy little reference and a source of much factual material is *Géographie de Maroc*, by Fernand Joly and others (Delagrave, Paris, 1949). In Spanish, there is V. Tomás Perez' *Marruecos* (Bosch, Barcelona, 1935), a work on the human and economic geography of both French and Spanish Morocco, and *Nuestro Protectorado* (Fuentenebio, Madrid, 1930), by José G. Sanchez, a work devoted only to the Spanish zone.

One of the all too few scholarly works by an American on modern Morocco is

Melvin M. Knight's *Morocco as a French Economic Venture* (Appleton-Century, New York, 1937). In this book, the effects of twenty-five years of French protection and the workings of the open door system are carefully examined. French contributions in the same area of economic development and covering approximately the same period of time are René Hoffherr's *L'Economie Marocaine* (Sirey, Paris, 1932) and André Colliez' *Notre Protectorat Marocain* (Rivière, Paris, 1930). Hoffherr is also the principal author of an important monograph on the native economy, *Revenus et Niveaux de Vie Indigènes au Maroc* (Sirey, Paris, 1934). Two works on economic and social developments in Spanish Morocco are *Economía Social de Marruecos*, by Tomás García and Rafael de Roda Jiménez (Consejo Superior de Investigaciones Científicas, Madrid, 1952) and *España en Marruecos: La Obra Social,* by Vial de Morla (Instituto de Estudios Africanos, Madrid, 1947).

The impact of European imperialism upon native Moroccan society had among its effects the introduction of new social and economic problems, such as the dislocation of the rural economy and its population as land was made available for French settlers, and the growth of a new urban proletariat when many of these dislocated country folk drifted to the newly developed urban centers. Several important studies on these problems have appeared recently, but much more work still needs to be done. A most important contribution is *Naissance du Prolétariat Marocain* (Peyronnet, Paris, 1951), a collective research inquiry conducted between 1948 and 1950 under the direction of Robert Montagne and issued as one of the *Cahiers de l'Afrique et l'Asie.* The chief drawback of this work lies in the close association that many of the contributors have with the administration, a fact which may explain the reluctance of the authors to criticize the French administration and its policies. The book is highly significant, however, as a unique work describing one of the most formidable, basic problems in Morocco. Another of the *Cahiers de l'Afrique et l'Asie* is *L'Évolution Sociale du Maroc* (Peyronnet, Paris, 1951), which is a collection of three monographs: *Une Famille Marocaine,* by Jean D'Etienne; *L'Évolution de la Vie Citadine au Maroc,* by Louis Villème; and *Le Prolétariat Marocain de Port Lyautey,* by Stéphane Delisle. Change in rural Morocco and the administrative policy and techniques involved in introducing this change are discussed by Yves Barennes in *La Modernisation Rurale au Maroc* (Librairie Général de Droit, Paris, 1948). The rural population is discussed from a different vantage point by Father Ange Koller, a Franciscan missionary who lived among the Berbers for more than a decade, in his *Essai sur l'Esprit du Berbère Marocain* (Imprimerie Saint Paul, Fribourg, Switzerland, 1946), a work which is rewarding for the contribution it makes to an understanding of the Berber psychology. Also the result of many years of experience as a missionary is James Haldane's *Trekking among Moroccan Tribes* (Pickering, London, 1948).

In the field of government and politics, the closest approximation to an analysis of the governmental structure and institutions of French Morocco is André de Laubadère's *Les Réformes des Pouvoirs Publiques au Maroc: Le*

Gouvernement; *L'Administration*; *La Justice* (Librairie Générale de Droit et de Jurisprudence, Paris, 1949). Important changes have recently taken place in the structure of the Moroccan government, following years of tension culminating in the crisis that brought about the removal and banishment of the nationalist-minded Sultan, Mohammed Ben Youssef. Although Professor Laubadère's treatise predates the new reforms, it is still germane. The government has not been altered extensively and Laubadère's study provides the essential background for understanding the changes that have taken place. Another extremely valuable treatise on Moroccan governmental institutions is Frédéric Brémard's *L'Organisation Régionale du Maroc* (Librairie Générale de Droit et Jurisprudence, Paris, 1949). Concerned largely with the problems of local and regional government, this work presents a systematic analysis of these institutions and then proceeds to consider the problem of centralization and decentralization. Although the author is an advocate of decentralization, he presents a careful and balanced discussion of the ecological, historical, and ethnographic factors involved. Brémard has also written an important treatise on one of the touchiest issues in Morocco in *Les Droits Publiques et Politiques des Français au Maroc* (Librairie Générale de Droit et de Jurisprudence, Paris, 1950). Although this work is of a largely juristic nature, it deals with a crucial aspect of the dual-cultural pattern, namely, the grant of special privileges and power to the more advanced and new element of the population. A significant collateral work in the field of juridical rights of a minority group in Morocco is André Chouraqui's *La Condition Juridique d'Isréalite Marocain* (Alliance Isréalite Universelle, Paris, 1950). Also in the field of rights is an earlier, but nevertheless useful treatise, Pierre Stéfani's *Les Libertés Publiques au Maroc* (Sirey, Paris, 1938).

A problem somewhat peripheral to the basic political and social issues in Morocco, but of special interest to the political scientist because of the unique international administration, is that of the International Zone of Tangier. The standard work in English on the problems of the international administration is Professor Graham H. Stuart's somewhat dated *The International City of Tangier* (Stanford University Press, Stanford, 1931). A more recent study is Rom Landau's *Portrait of Tangier* (Robert Hale, London, 1952). The work of a writer with a sharp reportorial eye, this volume makes a distinct contribution to the understanding of the international regime, although it does not dwell exclusively on matters of administration. The view that Spain should be given exclusive control over Tangier is presented by a Spainsh author using the pseudonym "The Man of the Street" in *España y Tanger* (Hidalgo, Madrid, 1948).

Closely related to the problems of governmental reform and political rights is the question of nationalism. Julien's work, *L'Afrique du Nord en Marche,* friendly in its attitude toward the nationalists, has already been cited. Less favorable towards the nationalists is F. Taillard's *Le Nationalisme Marocain* (Cerf, Paris, 1947), which details the rise of the nationalist movement, particularly during and after World War II, and seeks a solution to this knotty problem that would not involve France's removal from Morocco. Professor Robert Montagne has recently added a quite worthwhile book to the literature on nationalism in his *Révolution au Maroc* (France Empire, Paris, 1953), which also concerns itself with the possible alternative courses Morocco may follow. Much of the work is concerned with the sociological background of the rise of nationalism in Morocco. Prewar developments in Moroccan nationalism in the French and Spanish zones is discussed by Francis H. Mellor in *Morocco Awakes* (Methuen, London, 1939), while postwar developments, particularly the role of the now deposed Sultan Mohammed Ben Youssef, is treated by Rom Landau in *The Sultan of Morocco* (Robert Hale, London, 1951). Both books are in the popular vein. A friendly view of Moroccan nationalism and a sharply critical attitude of the French administration in Morocco are voiced by Pierre Parent, a long-time French settler in Morocco, in several little books, two of which, *Causérie sur le Maroc de 1951* (Imprimerie Régionale, Toulouse, 1951), and *La Vérité sur le Maroc 1952* (Imprimerie Régionale, Toulouse, 1953), have been translated into English and published under the titles *Dissertation on Morocco of 1951* and *The Truth About Morocco* by the Moroccan Office of Information and Documentation, the New York office of the Moroccan Independence (*Istiqlal*) party.

The crisis of the past few years has focussed attention on Morocco and has brought forth a number of popular books in English that are mixtures of travel experiences, description, observations on native and French life, evaluations of nationalism and French policy, and a smattering of political analysis. In this category are Rom Landau's *Invitation to Morocco* (Faber, London, 1950) and *Moroccan Journal* (Hale, London, 1952), Ethel Mannin's *Moroccan Mosaic* (Jarrolds, London, 1953), and Bernard Newman's *Morocco Today* (Hale, London, 1953). It is difficult for these writers, or for that matter anyone coming to Morocco, not to take sides, and one may characterize the Landau and Mannin books as pro-nationalist and the Newman book as pro-administration.

Concomitant with the raising of the Moroccan question in the United Nations, there appeared in English several pamphlets on each side of the fence. Reference is made here only to the more substantial of these publications. On the nationalist side, the Moroccan Office in New York published *Morocco under the Protectorate: Forty Years of French Administration* (New York, 1953), a critical analysis of the French regime designed to demonstrate its discriminatory character. On the other side, the French administration published *Morocco Today* (Editions Africaines Perçeval, Rabat, 1952) and the Comité France Actuelle published *Morocco: Patterns in Progress* (Washington, 1952). These two publications point up the great progress achieved by Morocco under French tutelage.

The laws, decrees, orders, etc. of French Morocco are published in the *Bulletin Officiel du Maroc*, and the *Boletin Oficial de la Zone de Protectorado Español en Marruecos* is published in the Spainsh Zone. *The Bulletin Economique et Sociale du Maroc*, an official publication issued quarterly by the Société d'Études Economiques, Sociales et Statistiques in Rabat, contains many articles of lasting value. The Moroccan Service Central des Statistiques annually publishes an *Annuaire Statistique du Maroc* and *La Conjoncture Economique Marocaine*. Several news bulletins are published on Moroccan affairs. In Rabat, the *Bulletin d'Information du Maroc* is published by the French Residency, while the *Moroccan Newsletter* is published in English under semi-official auspices. In New York, the nationalist Moroccan Office of Information and Documentation publishes a monthly, *Free Morocco*.

VII. TUNISIA

Compared to the bibliography lists for Morocco and Algeria, the literature on Tunisia is relatively slim. This may reflect a lack of sufficient interest on the part of scholars and general writers alike in a small country that is overshadowed by bigger neighbors in whom similar problems stand out in bolder relief. Nevertheless, Tunisia possesses a character of its own that distinguishes it from its neighbors and a small body of literature devoted solely to Tunisia has taken shape.

Very few first-class general histories of Tunisia have appeared. A brief summary of Tunisian history is to be found in *Histoire de la Tunisie depuis les Origins jusqu'à nos Jours* (Peyronnet, Paris, 1938). While not an outstanding work, it merits mention because of its general reliability. The Tunisian chapters of Julien's *Histoire de l'Afrique du Nord* supplement the studies devoted entirely to Tunisia. Henri Cambon's *Histoire de la Régence de Tunis* (Berger-Levrault, Paris, 1948) dwells on recent history, particularly developments since 1881, when the country came under French protection. A study of the historical evolution of Tunisia prior to 1881 and of the establishment and working of the protectorate is *L'État Tunisien et le Protectorat Français* (Rosseau, Paris, 1931, 2 vols.), by Élie Fitoussi and Aristide Bénozet. Although this work is dated, it still remains valuable for its analysis of the operations of the protectorate. A valuable study of the central French figure in the establishment of the protectorate in Tunisia is *Jules Ferry: The Rennaissance of French Imperialism* (Kings Crown Press, New York, 1944), by Thomas F. Power, Jr. One aspect of Tunisian history during the pre-World War II period, the issue of the Italian interests in Tunisia and Mussolini's sabre-rattling thereover, has produced a substantial literature. Since this literature concerns what is obviously a dead issue today, mention is made here only of Charles Monchicourt's *Les Italiens de Tunisie et l'Accord Laval-Mussolini de 1935* (Sirey, Paris, 1938) and Giuseppe Morpurgo's *Italia, Francia, Tunisia* (Augustea, Rome, 1938).

The following volumes come under the category of general works, designed to give a brief account of the country's people, history, economy, social conditions, and administration: *Initiation à la Tunisie* (Maison-Neuve, Paris, 1950), a collection of essays by various authorities and experts on geography, demography, cultural evolution, administrative structure, economic conditions, etc.; *La Tunisie*, by Pierre Hubac and others (Cahiers Charles de Foucauld, Paris, 1950), another anthology in the more popular vein; J. Klein, *La Tunisie* (Presses Universitaires de France, Paris, 1948), part of the *Que Sais-Je?* series and a useful, concise volume; and Jean Despois' *La Tunisie* (Larousse, Paris, 1931), an earlier work in the field of human and physical geography. A provocative analysis of the Tunisian scene is *La Tunisie* (Editions Sociales, Paris, 1951), by Paul Sebag. This is a highly informative book, dealing mainly with economic conditions. It is written from the Marxist-Leninist anti-colonialist viewpoint. Another less recent work critical of French economic policy in Tunisia is *La Tunisie Agricole et Rurale et l'Oeuvre de la France* (Librairie Générale de Droit, Paris, 1938).

For political scientists, it is unfortunate that there should hardly be any scholarly works on Tunisian governmental structure and administration. The crisis that Tunisia has been experiencing during the past few years has been largely concerned with the matter of representation in governmental bodies, and the absence of a serious analysis of the protectorate administration is keenly felt. One of the very few works in this area is *Le Protectorat Tunisien* by E. de Bettex (Editions de L'Agence Extérieure, Paris, 1946). This sketchy and elementary work is no substitute for a substantial scholarly work. Another important aspect of the Tunisian crisis, the question of sovereignty and nationality, has been dealt with by Louis Aguesse in *Souveraineté et Nationalité en Tunisie* (Sirey, Paris, 1930), an important treatise, though somewhat out of date.

The crisis in Tunisia brought on by a rising native nationalism and an intransigent French administration is the subject of Jean Rous' *Tunisie-Attention!* (Deux-Rives, Paris, 1952). This is undoubtedly the most significant work on contemporary Tunisia. It gives a detailed account of the nationalist struggle and the various proposals for meeting the situation. One of the most valuable features of *Tunisie-Attention!* is the inclusion of more than one hundred pages of useful documents not readily available elsewhere. An analysis of Tunisian nationalism from its origins to 1952 is contained in "The Tunisian Nationalist Movement: Four Decades of Evolution" by Benjamin Rivlin in the Spring, 1952, issue of *The Middle East Journal,* Vol. 6, pp. 167–93.

The events of 1952 in Tunisia, which prompted the effort to get Security Council action on the Tunisian question, also led the Commission Internationale Contre le Régime Concentrationnaire to investigate the matter and to publish a report, *Livre Blanc sur la Détention Politique en Tunisie* (Brusselles, 1953). As for publications of those directly concerned in the struggle over Tunisian nationalism, the Neo-Destour party has published many pamphlets and tracts in Tunis, Paris, Cairo, and New York, in English as well as in French, of which the following may be noted: *The Problem of Tunisia: Economic Policy of the Protectorate* (Cairo, 1948); *An Account of the Tunisian Question and Its Most Recent Developments* (Tunisian Office for National Liberation, New York, 1952); and *Farhat Hached: Tunisian Labor Leader, Patriot and Martyr* (Tunisian Office for National Liberation, New York, 1953). On the other side, the Comité France Actuelle published *Tunisia: Dangerous Separation* (Editions France Actuelles, Washington, 1952) and the Tunisian Residency published a statistical brochure, *Soixante-Dix Ans de Protectorat Français en Tunisie* (Tunis, 1952). The laws, decrees, etc. of Tunisia appear in the *Journal Officiel Tunisien.* In addition the office of the Resident-General publishes an informative quarterly, the *Bulletin Economique et Social de la Tunisie.* Statistical data for Tunisia is published since 1947 in the *Bulletin du Service Tunisien des Statistiques.* Previously, from 1940–46, an *Annuaire Statistique de la Tunisie* was published, and prior to that a *Statistique Générale de la Tunisie* appeared annually.

VIII. LIBYA

The description "uneven" applied earlier to the literature on North Africa is particularly true in the case of Libya. Unlike ancient Libya, which was the seat of a thriving and prosperous outpost of Rome, modern Libya is best characterized by the paucity of its physical resources, the weakness of its economy, and the consequent sparseness of its population. Undoubtedly, this helps to explain the uneven quality of the literature on Libya; there has been little in Libya to attract social scientists. This does not mean that the literature on Libya is a complete void. In fact, because Libya has in recent years played a role in world politics—a role far beyond its intrinsic importance in the eyes of many observers—a literature has been built up in relation to this role. Much of the writing has been concerned directly with Libya and world politics, but a good portion of it has also dealt with the country's cultural, social, economic, and political conditions.

As is to be expected, Italian writers have manifested the most interest in Libya and its problems. This interest has continued beyond the settlement after World War II under which Italy lost her overseas colonies. Although Libya is today an independent state, Tripolitania has a large and important Italian minority, and economic ties between Italy and Libya still exist. Of this vast amount of literature published in Italian, only a few items will be included here, chosen either as representative examples of the literature or because of their lasting value.

Italy's venture in Libya as part of Italy's drive to play the role of a world power is described in two useful works in English: Luigi Villari's *The Expansion of Italy* (Faber and Faber, London, 1930), and *Italy's Foreign and Colonial Policy,* by Maxwell H. H. Macartney and Paul Cremona (Oxford University Press, New York and London, 1938). An historical monograph dealing with the Italian penetration into Libya based on a scholarly examination of the documents relating to the Turco-Italian war is William C. Askew's *Europe and Italy's Acquisition of Libya 1911–1912,* (Duke University Press, Durham, N. C., 1942).

Italy's exploitation of Libya did not actually commence until after World War I and the advent of Fascism. The nearly two decades of Fascist rule made a deep impression on the country. Whereas Fascist policy was often ruthless toward the native population, and generally unconcerned with its problems, it expended a great amount of capital in introducing modern techniques to the country, the benefit of which has not been dissipated now that Italy no longer rules Libya. A defense of the Italian efforts in Libya is presented by Marshal Rodolfo Graziani in *Pace Romana in Libia* (Padua, 1937) and *Libia Redenta* (Torella, Naples, 1948). Graziani's writings offer an interesting insight into the thinking of the official Fascist leadership towards Libya. The major Italian endeavor in Libya was in the direction of settling Italian peasants on the land. A dispassionate analysis of the program is submitted by the eminent French geographer Jean Despois in his *La Colonisation Italienne en Libye: Problèmes et Méthodes* (Larose, Paris, 1935). A popular treatment of the subject, looking very favorably on the Italian Fascist efforts, is Martin Moore's *Fourth Shore: Italy's Mass Colonization in Libya* (Routledge, London, 1940). Another popular book on Libya is Knud Holmboe's *Desert Encounter* [Translated from the Danish] (G. P. Putnam Sons, New York, 1937), an account of an adventurous journey across Libya in which the author makes some very critical comments about Italy's policy towards the natives of the desert. *Il Regime della Proprieta Fondiaria Nell' Africa Italiana, Vol. I, Libia* (Cappelli, Bologna, 1942), by Massimo Colucci, is one of the Fascist period works that is still significant for its discussion of the relationship between traditional native land practices and the Italian policy of land alienation. An authoritative balanced account of the earlier years of the Italian administration is contained in Adalgiso Ravizza's *La Libia Nel Ordinamento Giuridico* (Pauda, Milan, 1931).

Sociological studies of the native Libyan population have been relatively scarce. Pioneer work was done by Colonel Enrico di Agostini in *La Popolazione della Tripolitania* (2 vols., Tripoli, 1917) and *La Popolazione della Cirenaica* (Bengasi, 1922–23). Much of the work on the Libyan population, however, has been on selected areas or tribes. The outstanding work of this type is E. Evans Pritchard's *The Sanusi of Cyrenaica* (Oxford University Press, New York, 1949). This is a work of high scholarship by an eminent English anthropologist with considerable experience in Africa. It is an extremely valuable aid for understanding the Sanusi brotherhood and its role in modern Libyan history. The significance of understanding the Sanusi order is evident when one realizes that the leader of the brotherhood became the first king of united Libya. Evans-Pritchard's work is restricted largely to Cyrenaica and unfortunately there is no comparable work for Tripolitania. Jean Despois' *Le Djebel Nefousa* (Larose, Paris, 1935) partly fills the gap for some of the Tripolitanian mountain tribes. Despois is also the author of a volume on the third component of the recently created federal state of Libya entitled *Mission Scientifique au Fezzan* (Chevalier, Paris, 1946). This work serves as an excellent introduction for this little known part of Libya. The people of the Fezzan and their customs are also dealt with in *Notes d'Ethnographie et d'Histoire* (Institute des Belles Lettres Arabes, Paris, 1948), by J. Lethielleux.

The education of the native Libyan population under Italian rule is discussed by Roland R. de Marco in *The Italianization of African Natives* (Columbia University Press, New York, 1943). Treating Italian educational policy in

East Africa as well as Libya, this work is based entirely on an examination of documentary material and its value is diminished by the author's lack of first-hand experience in the colonies. Dealing also with the problem of education in Libya, and serving as a fittting contrast to the previously cited work, is the UNESCO Educational Mission *Report on the Mission to Libya* (Paris, 1952). Written by Professor Roger Le Tourneau, a man of considerable experience in North Africa, this report contains an analysis of the development of Libyan education through the years, and of the problems of technical training for industry and agriculture. The report contains a valuable introduction on "Education and the Economic and Social Development of Libya," by Professor Benjamin Higgins of McGill University, who headed the Technical Assistance Mission in Libya.

Le Tourneau's report is one of a number that have appeared in recent years from various United Nations technical assistance missions. Because of Libya's becoming an independent state under the auspices of the United Nations, and because of the special circumstances surrounding United Nations action in this matter, the country's welfare has become an important concern. There have been visits by a number of technical assistance missions. These have resulted in a series of highly informative reports on the basic economic and social structure of the country. The reports have not been revolutionary in their findings but they have confirmed earlier findings and feelings about the country's poverty and the difficulty of making it a viable economic state. John Lindberg's *A General Economic Appraisal of Libya* (U.N. Technical Assistance Administration, New York, 1952 [U.N. Doc. ST/TAA/K/Libya *1*]) surveys natural resources, people, and finance and in general terms discusses the economic position of the country and the conditions for its economic development. A later Technical Assistance report, prepared by Professor Higgins, is *The Economic and Social Development of Libya* (Technical Assistance Administration, New York, 1953 [U.N. Doc. ST/TAA/K/Libya *3*]). This report is a summary of a more comprehensive one (U.N. Doc. A/AC.32/TA.16 rev. 1, 1 July 1952) bearing the same title, which Professor Higgins prepared with a team of some twenty experts representing FAO, UNESCO, ILO, WHO, and TAA. The program and plans set forth in this report constitute a set of recommendations to the Libyan government, and, according to Higgins, should "bring significant results within two or three decades." Economic problems facing Libya have also been discussed in an official British publication: *Libya: Economic and Commercial Conditions in Libya* (HMSO for the Board of Trade, Overseas Economic Surveys, London, 1952), by H. J. Legg.

Recent political, as well as social and economic, data on Libya is available in the annual reports prepared by the United Nations Commissioner in Libya in 1950 and 1951 (General Assembly: Official Records, 5th Session, Supplement 15, A/1340 and 6th Session, Supplement 17 and 17A, A/1949 and A/1949/Add.1.), and in the annual reports submitted by the British and French administration to the United Nations for 1950 and 1951.

Events leading to the eventual independence of Libya are recorded in Lord

Rennell of Redd, *British Military Administration of Occupied Territories in Africa, 1941–1947* (H.M.S.O., London, 1948), an official account of the British occupation of Tripolitania and Cyrenaica, as well as that of Italian East Africa; C. Groves Haines, "The Problem of the Italian Colonies," *The Middle East Journal*, Vol. 1, pp. 417-31 (Oct., 1947); Benjamin Rivlin "Unity and Nationalism in Libya," *The Middle East Journal*, Vol. 3, pp. 31–44 (Jan. 1949), and *The United Nations and the Italian Colonies* (New York, Carnegie Endowment for International Peace, 1950); the Report of the Four Power Commission of Investigation that visited the Italian Colonies in 1947, of which volume three is devoted to Libya; and Ann Dearden, "Independence for Libya: The Political Problem." *The Middle East Journal*, Vol. 4, pp. 395–409 (Oct., 1950). A recent popular book on the new kingdom of Libya is Nina Epton's *Oasis Kingdom: The Libya Story* (Roy Publishers, New York, 1953).

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BOOK REVIEWS

Civil Liberties and the Vinson Court. By C. Herman Pritchett. (Chicago: University of Chicago Press. 1954. Pp. xi, 297. $5.00.)

This book, like Pritchett's earlier *The Roosevelt Court,* may be divided into two parts. One, a review of Supreme Court civil liberties decisions from 1946 to 1953, is of chief concern to the layman, to whom the book is primarily addressed. The other, a study of the judical process, is of major interest to political scientists. In addition to its narrower focus, this volume differs from the earlier one in that the study of the judicial process is approached with slightly less emphasis on "box scores" and more emphasis on dissecting judicial opinions and interpreting decisions.

Pritchett's use of statistics is too well known to require description here. Ever since he started to compile the voting records of justices, he has had many imitators and many hostile critics. It is difficult to see why scholars should be critical of his use of "box scores." His studies depart from tradition only in presenting the materials in a more organized fashion than is commonly done. Others who read the opinions of judges and interpret their decisions also must compile scores, albeit in an unsystematic manner. They soon get to know, for example, that Black and Douglas support libertarian values more frequently than do their colleagues. They know that Frankfurter, after explaining why he believes that judges should upset legislation only in rare cases, frequently votes to uphold legislative regulation of speech.

Pritchett's studies, however, in addition to presenting in a more organized manner what most of us learn in an unorganized fashion, also help to identify variables and show relationships which are not always apparent when we are preoccupied with psychological explanations. By isolating the voting records and concentrating on the end product, a clear picture emerges of values supported by the several justices.

Criticism of Pritchett, in my opinion, should not be for using box scores but for not using them enough. By and large he is concerned with the problem of motivation, with trying to chart the mental balancing which goes on within the mind of each justice. (He hypothesizes that the judge's conception of his role as a judge interacts with personal attachment to particular values to produce a decision, recognizing of course that other factors are also involved.) His chief concern is to correlate voting behavior with a judge's explanations of why he voted the way he did in order to arrive at a thumbnail sketch of the judge's mental set.

In an excellent description of the judicial process, Pritchett makes it clear that the judges operate within the political process, that their own motivations are but one variable, that they must make value choices (Frankfurter and Holmes along with the rest), and that the voting behavior of judges can be studied profitably in the same manner as the voting behavior of legislators. Studies of legislative voting behavior, however, normally pay less attention than does Pritchett to "mind-stuff," or to the individual decision-maker's explanations of why he voted the way he did. It is of course desirable to recognize that Black, Douglas, Frankfurter, and Jackson support different values than did McReynolds or Butler. It is also important to determine what these values are and to understand the judge's explanations. But it would also be of importance to try to relate interests supported by the Supreme Court with other variables. For over a decade Pritchett has been compiling judicial voting records and bringing out the blocs within the Court and the interests they have supported. Have the interests supported by the Court varied during the ten years and have these changes been related to other factors within the political scene? In what way? What factors appear to be related to the success or failure of a particular bloc in having its views dominate the Court? Pritchett's technique would be most helpful in the search for answers to these and similar questions.

A second feature of the book is an interestingly written and soundly presented discussion of Supreme Court civil liberties decisions (broadly defined) during the period of Chief Justice Vinson's tenure. The impact of changed world conditions on the kinds of issues brought before the Court and how and on what bases the Court disposed of these issues are all ably explored.

Pritchett makes many astute observations in these chapters as he masterfully places into a coherent pattern the views, motivations, and decisions of the "libertarian activists," "libertarian restrainers," and the "less libertarian" members of the Supreme Court. In the final chapter Pritchett explores the Vinson Court's record and suggests what the Court's role should be. He argues that the "libertarian restrainers," especially Frankfurter, need not constantly apologize for using judicial power since the American democratic system requires judges to strike down laws which interfere with the operation of the process by which political decisions are reached. The reluctance to use judicial power for such purposes, argues Pritchett, is an outgrowth of the pre-1937 period when problems were different, a period during which legislatures were passing laws of which Pritchett apparently approves as contrasted with his attitude toward some laws passed since. The "libertarian activists," on the other hand, are criticized by Pritchett because their single-minded attention to the desirability of preserving the traditional civil liberties leads them at times to think dogmatically and to overlook other values. Pritchett's purpose in this chapter is to inform the layman and to stimulate him into thinking about the role of the judiciary. In this he succeeds, but the chapter would be strengthened by the deletion of a considerable number of statements which, in my judgment, convey little and sometimes confuse the issue. For example, "It [the Supreme Court] should be representative not of our current thought, but of our best thought" (p. 251).

Whether or not one agrees with Pritchett on his value choices, the discussion is moderate and informing. This volume, combined with *The Roosevelt Court,* makes a reliable account of Supreme Court activity in important areas since 1937. The greatest value of these pioneering studies lies, however, in the light they shed on how the judiciary operates. Pritchett is among the few who have studied the judicial process on the basis of a developed theoretical framework and in a systematic way. For this he deserves highest praise.

JACK W. PELTASON.

University of Illinois.

Law and Politics in the World Community: Essays on Hans Kelsen's Pure Theory and Related Problems in International Law. EDITED BY GEORGE A. LIPSKY. (Berkeley: University of California Press. 1953. Pp. xx, 373. $6.00.)

It is undeniable that there is still much confusion with respect to the nature of international law and its relation to world politics. This collection of seventeen essays, in which a rich variety of viewpoints and interests is represented, both confirms the existence of the confusion and, for the discerning, provides material to dispel it. For some of the contributors Kelsen's "pure theory of law," with its insistence on a "legal science" of norms from which "politics" are purportedly excluded, supplies the inspiration and the point of departure. Others are more interested in understanding the role of law as an instrument of policy, solving concrete problems in world affairs, or exploring empirical data. The results of the various approaches placed in close juxtaposition are instructive.

Noteworthy among the policy-oriented contributions is Professor Covey T. Oliver's devastating analysis of George Kennan's famous lectures. The whole edifice of Kennan's attack on the alleged "legalism" of American foreign policy is taken apart and shown to rest on a grossly inadequate understanding of what law is. The inadequacy of Kennan's concept of law is the more striking in the light of the achievements of American legal thought in recent decades. Perhaps the clue to the confusion mentioned at the beginning of this review is to be sought in the fact that some political scientists and men in public life are not properly aware of the new ideas about law developed in American law schools and courts. Oliver rightly calls for more popular presentations by legal scholars and for a really factual study of the role of "lawmen" in foreign policy. His own view of the meaning of "law"—that it "is coming more and more, in the international field especially, to refer to the whole power process within the political order"—should be compared with Professor Quincy Wright's concept of "law" as a limitation on "politics." This concept is elaborated in an essay which calls for a "balancing" of law and politics in order to permit both stability and progress. The creative potentialities of legal techniques in world affairs are also stressed in Edvard Hambro's comments on the advisory opinion of the International Court of Justice on reparation for injuries suffered in the service of the United Nations.

Professor Eagleton's plea for more use of the law in the United Nations points in the same direction as Oliver's discussion of the role of law in foreign policy and comments on the Anglo-Iranian oil dispute, although it is by no means clear that the two authors share a common understanding of "law." In contrast, Professor Morgenthau, in an excellent but hardly novel analysis of the "Political Limitations of the United Nations," inveighs against "legalism" and reiterates his familiar thesis on the decisive and ineluctable role of traditional national policies and traditional methods of diplomacy. He fails to explain why, in a rapidly changing world where total disaster has become possible, we are fated to cling to traditional policies and methods. Morgenthau's general position receives able support from Professor Hula's sapient demonstration of political obstacles to the international legal protection of human rights. As usual, the pessimistic conservatives are strong in observation and analysis but weak in imagination and faith.

Among the contributions devoted to more strictly legal topics, Professor Lauterpacht's paper on "Rules of Warfare in an Unlawful War" deserves special mention. He succeeds in establishing a clear and convincing position on this new and increasingly important problem largely because, with some reluctance, he lets common sense triumph over "legal logic." Also outstanding is a masterly essay by Professor Leo Gross on "States as Organs of International Law and the Problem of Autointerpretation." By strict logical analysis Gross charitably but deftly and completely demolishes one of the foundations of Kelsen's theory of international law—his doctrine of sanctions. The logical contradictions inherent in the "pure theory of law" and its efforts to squeeze international law into a definition of law as a "coercive order" also show up in Professor Robert W. Tucker's admittedly strained analysis of the principle of effectiveness. The crippling effects of the Kelsenian preoccupation with the formal "validity" of norms, the straightjacket of conceptualism, and the misguided attempts to isolate law from politics are further evident in Professor Guggenheim's disappointing effort to define and justify postivism (in the Kelsenian sense) in international law; in the otherwise impressive analysis by Professor Verdross of the impact of the United Nations Charter on general international law; and in Professor Heinrich Brandweiner's examination of the international status of Austria. (They are also reflected, in a different way, in Morgenthau's and Hula's deprecation of the usefulness of law.) Somewhat apart stand Professor Scelle's brief reflections on international juridical personality and J. G. Starke's discussion of regionalism as a problem of international law. The editor himself contributes an introduction presenting a highly laudatory view of Kelsen and his work.

There are also a number of papers in which theory is subordinated to the examination of concrete legal and political materials. Professor Nussbaum contributes a very brief but highly informative and revealing account of the forms and observance of treaties in the Middle Ages which has some startling implications for our times. Professor Kunz analyzes intelligently and thoroughly the Geneva Conventions of 1949; and Alwyn V. Freeman deals competently with the political powers of the Council of the Organization of American States.

One closes the volume with the conviction that the variety of meanings attached to the word "law" is so great that it is not practicable to seek a single definition acceptable to all. The way out of the confusion must rather be sought in the realization of the fact that the word means different things to different people. Once this is realized, it will become clear that some of the heated controversies now raging are over words rather than substance. This is not to deny, of course, that a choice can be made among the various concepts of law on pragmatic grounds.

The excellence of the contents of this valuable symposium, which can be read with much profit by every political scientist, is unfortunately not matched by the quality of editorial work. There is a superabundance of printer's errors and other technical defects, and some of the contributions from abroad are poorly translated. The footnotes are annoyingly relegated to the the end of the volume and there is no index.

OLIVER J. LISSITZYN.

Columbia University.

The Future of Underdeveloped Countries: Political Implications of Development. BY EUGENE STALEY. (New York: Harper and Bros. 1954. Pp. xiv, 410. $5.00.)

If the current drive for the development of underdeveloped areas should fail to catch hold and transform the face of the earth, its failure could certainly not be attributed to a lack of literature on the subject. The flood of books, articles, and official documents devoted to it which has appeared in the last few years is not only an impressive tribute to the importance of the problem but also perhaps a confirmation of the notion that the fashions of the moment are as significant determinants of activity in academic circles as in other spheres of life. Among the most recent and most useful contributions to this literature is the present work by Eugene Staley, which is in part a product of the deliberations of a Study Group of the Council on Foreign Relations; and it might be added, to convince any who doubt the availability of other materials, that its "List of Authors and Works Cited" runs to no less than eight closely-printed pages.

As the subtitle indicates, the task which Mr. Staley has set for himself is less the exploration of the economic aspects and intricacies of development, although these are by no means neglected, than its political and social implications, both domestic and international. The two major themes of the book, as the author states them in his Introduction, are that economic development of Asia, Africa, and parts of Europe and the Americas is vital for the survival of the West, very much including the United States, and that such development "while a *necessary* condition, is not a *sufficient* condition to insure the growth in these countries of trends favorable to human well-being and to the better world we should like to see." More particularly, he is insistent that material progress alone is not enough to check the advance of communism which has itself, he suggests, outstripped the non-Communist world in ruthlessly removing obstacles to economic growth, mobilizing investment, and getting an industrial revolution underway in underdeveloped areas within its grasp. In his discussion of the Communist-free world rivalry he lays salutary stress on the peculiar turn of events by which the followers of Marx have come to have ideas as their "most strategic export" while the United States places an undue reliance on the improvement of material conditions.

In the opinion of this reviewer the outstanding strength of this book lies not in the novelty of its ideas but rather in the breadth of its intellectual horizons and in its balance and restraint. A convinced and well-informed advocate of the necessity for concentration on development, Mr. Staley deceives neither himself nor his readers with any illusions as to the ease with which it can be accomplished or any certainty that we will like the results if it is accomplished. He has no simple panacea or technique to suggest which will set the process he is discussing in motion and make it self-generating, the latter being the true criterion as to whether or not success has been achieved. On the contrary, he returns with regularity to the conception that development is the product of the interaction of a large number of complexly interrelated forces and states of mind and fact. The industrial system, as he sees it, is not a prefabricated piece of machinery which can be picked up and, given adequate amounts of capital and technical assistance, installed in working order in any part of the world, but is intimately bound up with the political and social environment in which it must work. Where the environment is unsuitable, as must be assumed to be the case in preindustrial societies, no significant and sustained advance can be made until the people themselves have come to have the will to develop. That such a will is as yet actually present for large masses of mankind must be open to the gravest question.

In brief, this is a mature and sophisticated book which, if it is perhaps somewhat overoptimistic as to the possibility of achieving the high objectives which Mr. Staley sets as the goal of the development process, serves effectively to place the problem in its proper complex setting. The two major issues which must be faced are, firstly, the question as to the likelihood of its taking place on a large scale in the presently foreseeable future, and, secondly, assuming that it does, what kind of a world it will bring along in its train. Mr. Staley rightly points out that by no means all the countries which have reached a high level of development have combined it with liberal and democratic institutions and outlooks, and it requires barely a glance at the history of the last few decades to become persuaded that peace and development are by no means synonomous terms. In demonstrating that the problems surrounding development are both difficult and hazardous, Mr. Staley has rendered a highly useful service.

RUPERT EMERSON.

University of California (Berkeley).

Cultural Patterns and Technical Change. EDITED BY MARGARET MEAD. (Paris: UNESCO. 1953. Pp. 348. $1.75.)

International technical assistance programs depend basically upon people for the successful introduction of knowledge and techniques, whether in the fields of education, agriculture, engineering, or public health. The extensive character of these programs today and their central importance to the development of a viable and stable system of international relations give high importance to the work of the individual technical experts. In both the bilateral and multilateral programs, an increasing amount of attention has been given to the manner of selecting, training, and briefing the experts. Individual United Nations agencies have become acutely aware of the problem as evaluations of programs are undertaken, and the United Nations Technical Assistance Board recently went so far as to have a special study made on the briefing and orientation of experts as part of its responsibilities under the Expanded Technical Assistance Program. In the United States there have been numerous efforts to improve the quality of personnel sent abroad on technical assistance assignments and a great deal of attention has been given to means whereby they can be most effectively trained and oriented.

This UNESCO publication constitutes a major contribution in meeting needs of this kind in both bilateral and multilateral technical assistance programs. It is a handbook for the technical assistance expert whose task it is to help the government and people in cultures foreign to the expert and foreign to the countries from which the technical know-how is sought. It is also intended as an aid to the receiving countries since they, too, need help in seeing their technical problems in the light of the special characteristics of their own cultures.

Prepared by the World Federation of Mental Health and edited by Margaret Mead with the assistance of an outstanding editorial advisory committee, this manual is an introduction to the cultural elements that are affected by, and that also affect, the application of foreign technical knowledge and skills in any country. It includes brief analyses of five cultures (Burma, Greece, the Tiv of Nigeria, Palau, and the Spanish Americans of New Mexico), with special attention to such elements as family, social orientation, individual orientation, economic motivation, religion, community and village organization, time concepts, status of women and children, health, standards of living, government, etc. There is no single outline or uniform manner of treatment for the five cultures but rather an indication in respect to each of the "kind of thing and the kind of activity which may be of value in facilitating the technological change for itself and in preserving the cultural integrity of those among whom the changes are introduced" (p. 13). It is definitely not a handbook or guide in which answers to specific operational questions are to be found.

With these analyses of five cultures as background, a series of studies then follows to illustrate how programs in agriculture, nutrition, maternal and child care, public health, industrialization, and fundamental education are affected by cultural difference. Here, somewhat more specifically than in the studies of cultures, the volume seeks to identify particular difficulties that must be faced and suggests how more successful programs in various parts of the world have dealt with them. A concluding section deals with mental health implications of technological change and with the principles involved in developing mental health during the technical change. A very useful international bibliography is appended.

In terms of the importance of technical assistance in the world today and in terms of the critical role of the expert in these programs, this volume represents an important contribution to the conduct of international relations.

Placed in the hands of headquarters administrators of technical assistance programs, of experts going to "the field," and of administrators in recipient countries, it should introduce greater realism in the programs and help to avoid the many frictions that have occurred from lack of understanding of cultures. The calibre of the editorial staff and of the international advisory committee has assured a work of high quality in an area in which technical knowledge has long been hidden from practitioners and operators by a highly specialized jargon. This volume gives evidence further of the seriousness with which the UNESCO Secretariat has viewed continuing difficulties in the administration of technical assistance programs. (Note in this connection the more recent UNESCO publication, *Social Aspects of Technical Assistance in Operation*, which reports on an international conference held under joint UN-UNESCO auspices in 1953.) It also reflects the concern of member states of UNESCO, which authorized its preparation, that means be found to alleviate some of the tensions arising in non-industrialized countries from the introduction of technology, and to harmonize technological influences with the cultural values of the country.

WALTER H. C. LAVES.

Indiana University.

The Adams Federalists. BY MANNING J. DAUER. (Baltimore: The Johns Hopkins Press. 1953. Pp. xxiii, 381. $6.00.)

The scope of this study is much broader than its title would suggest. Although its central theme is the relation of John Adams to the Federalist party, the study really constitutes an attempt to explain the factors that contributed to the successful development of self-government in the United States in the period from 1789 to 1803. In approaching this problem the author takes direction from three points of view. The first is that the social scientist must establish the actual social structure of the period with which he is concerned. The second is that the theories and governmental policies of the period must be studied with reference to their relation to population groups distinguished according to their varying economic, religious, and cultural backgrounds. The third viewpoint is that in a political society employing free elections, the elections should be studied to determine whether there are patterns of political behavior.

This is a tremendous task which Professor Dauer set for himself, but within the scope of a single volume he achieves a remarkable degree of success. The study begins with two chapters which describe the basis of the political divisions of the period, followed by two chapters dealing, respectively, with the political and economic theories of John Adams. Although these four chapters cover for the most part familiar material, Professor Dauer has done a fine bit of condensation. Within their compass he has provided the social, economic, and political background (both its real and theoretical components) for the analysis that is to follow. The fifth chapter really begins the story suggested by the title. It treats Adams' relations with the Federalists from 1788 to his election to the presidency in 1796. The remaining chapters (6 through 17) continue the story through the election of 1800 and set forth the conclusions of the study. It is in this section that the problems comprehended by the author's second and third points of view are treated. Beginning with a careful analysis of the election of 1796 and the patterns of political behavior manifested in it, Professor Dauer proceeds to study the theories and policies of the Adams Administration as they were related both to the various groups within the country and to the position of America in the family of nations. The effect of these theories and policies upon the various groups within the country is then evaluated in terms of the election of 1800. The author thus treats for one of the most critical periods in our history two problems which in one form or another are constants in such a country as ours—first, the problem of compromising group conflicts at the domestic level, and, second, the problem of preserving at the international level the nation's independence and security. The two problems were, of course, inseparable in Adams' time just as they are today, and it is in connection with this parallel that the present volume makes much of its contribution.

A number of the conclusions drawn by the study would seem to be of great significance for the present. The social, political, and economic forces of the period did not stand still to accommodate the dogmas of any political group. In the party conflict of Adams' period victory came to the party which was best able to bring its appeal and its program into line with the realities of the time. A second important conclusion reached in the study is that it is virtually impossible in our system for the President to stand above party strife. His authority rests upon political power reflected in parties, and he must work within this framework. He may, however, and Professor Dauer suggests that this was Adams' major contribution, by pursuing a course of moderation serve the cause of compromise and facilitate such an agreement among the various groups as will be acceptable to the great majority.

The value of this volume is enhanced by the inclusion of appendices which in addition to the text of the Sedition Act of 1789, show congressional districts for the period from 1793–1803, the alignment of parties in 1796, and voting records on key issues for the Fourth, Fifth, Sixth, and Seventh Congresses (with maps showing records for House members). Tables throughout the study, copious documentation, and a lengthy bibliography add further to the value of the book and make it something of a source book for the period.

This is a sound, scholarly piece of work, and only by such studies will the complete story of our political development be told.

FRANK GRACE.

University of Michigan.

The Rise and Decline of Liberalism. BY THOMAS P. NEILL. (Milwaukee: The Bruce Publishing Co. 1953. Pp. xi, 321. $5.50.)

The phenomenon of modern liberalism has attracted the attention of numerous scholars anxious to explain why the liberal triumph of the nineteenth century was transformed into the defeat of the twentieth. In this book the author, a history professor at St. Louis University, skillfully elaborates the classic Catholic interpretation of liberalism as an unfortunate secular alternative, now spent, to a society properly ordered by Christian principles. The orientation of the study is, quite understandably, European, with the main attention paid to the fortunes of British liberalism.

The bulk of the volume is historical narrative treating the course of liberalism from its emergence as a critique of the *ancien régime* to its disintegration as a creed and movement during the period of World War I. The author has unearthed no new historical findings, but he has related his story well. His evidence is convincing and his analysis is balanced. Despite some curious twists (such as the use of Edmund Burke as a spokesman for nineteenth-century liberalism, and the imputation that Beard's thesis regarding the American Constitution is a "Marxist interpretation"), the author is precise and discriminating in propounding his argument. For example, he accurately delineates the unique character of American liberalism and the historic tension between liberalism and democracy in Britain. Certainly he has presented us with as plausible an interpretation as historical scholarship allows. And even though his writing is occasionally repetitious and somewhat uneven (especially in the last few chapters), his presentation is highly readable. So on the whole this is an eminently worthy study in the history of ideas.

The most significant chapter is the final one, where the author articulates the thesis which animates his narrative of the rise and decline of liberalism. His thesis is that the price of liberalism was too high. As a solvent of the old order liberalism produced some good, but in failing to provide an adequate alternative, it produced much bad. The good was actually derived from the Christian view of man which the liberals borrowed, minus its intellectual foundation of Christian truth. Consequently the liberals made each man his own sovereign and eventually destroyed the associative basis of social life. To protect the masses from exaggerated individualism, the liberal state was compelled, contrary to its spirit, to assume greater and greater responsibility for the lives of its members. The logical end product is the secular totalitarian state.

According to this analysis the tragic flaw of liberalism is the substitution of the "individual" for the Christian idea of social man endowed with moral rights and duties beyond human call. The liberals ignored original sin and accepted the fallacy of the natural harmony of interests. They mistakenly conceived of freedom as the absence of external restraints, of freedom without responsibility. But true liberty, as the Christian knows, is not an end in itself. Liberty is a means directed by a purpose embedded in the moral consensus of society. As the consensus supplied by Christianity disintegrated in modern society, eroded away by the positivist denial of objective moral truth, the new and terrible reintegration of social life in the form of totalitarianism appeared. Incapable of forging a new society to replace the one it destroyed, liberalism lost its force as other creeds and movements came to dominate the scene.

The author's thesis stops short of the plea for reaffirmation of Christian tenets, a usual accompaniment of this Catholic interpretation. Professor Neill simply dissects liberalism as a creed and movement and diagnoses the moral crisis of liberal society. Perhaps in his projected second volume (apparently to be entitled *Liberalism in Prospect*), which will deal primarily with the American scene, the burden of argument will be a plea to return to the faith of the Mother Church.

This book is useful, then, as an unambiguous statement of the Catholic attitude towards liberalism, and why the Catholic thinker shares this attitude. But this book cannot be dismissed as just another Catholic tract. It is also a penetrating critique of liberal tenets, a critique which lays bare the fatal deficiency of modern liberalism: a theory of value both tenable and compatible with the liberal creed. Anyone concerned with the problems of contemporary social and political thought will therefore find this a rewarding book, and will look forward to the publication of its companion volume.

CURRIN V. SHIELDS.

University of California (Los Angeles).

Plato's Modern Enemies and the Theory of Natural Law. BY JOHN WILD. (Chicago: The University of Chicago Press, 1953. Pp. xi, 259. $5.50.)

In Defense of Plato. BY RONALD B. LEVINSON. (Cambridge: Harvard University Press. 1953. Pp. xii, 674. $10.00.)

The world wars in which we are engaged are wars of the spirit, as Nietzsche prophetically styled them. The warfare on the battlefields was preceded, and is accompanied, by the literary warfare of the ideologists against the classic and Christian substance of Western civilization. Of the many phases on the various fronts not the least interesting, though perhaps not the most dangerous, is the bush-war, if the metaphor be allowed, conducted during the last twenty-five years by ideologists in the English-speaking world against Plato. Some of the outstanding encounters were John J. Chapman's *Lucian, Plato and Greek Morals* (1931), Warner Fite's *The Platonic Legend* (1934), R. H. S. Crossman's *Plato Today* (1939), Alban D. Winspear's *The Genesis of Plato's Thought* (1940), and Karl R. Popper's *The Open Society and Its Enemies* (1945; 2nd. ed. 1950).

The reception of this class of literature followed, on the whole, the lines of the schism in Western civilization in general, and its English-speaking subdivision in particular. The so-called liberals (from muddled, through pink, to red) were enthusiastic. The scholars expressed their anger with more or less politeness. As representative I quote a sentence from a lecture by Mure, before the Royal Institute of Philosophy, on occasion of Popper's treatise: "One would say, indeed, that he had flung scholarship to the winds in the pursuit of his thesis, could one be sure that he had had any to fling." My own attitude should be reported, for what it is worth. I read Winspear's treatise at the time of its publication, because I considered it my duty to know what a Marxist ideologist would do to Plato; and I considered my duty done with reading that one sample. I have not seen Crossman's *Plato Today*, because I had read previously one of his other books. Chapman and Fite I have sampled but not read. My intention to follow the same course in the case of Popper was frustrated, because too many students wanted my more detailed criticism of the work.

The adumbrated situation provides the setting for the two books under review. Their authors are philosophers and scholars who ordinarily would not spend their time writing volumes of criticism on ideological literature. None of the enumerated anti-Platonic writings taken singly would have justified their enterprise. But the series forms a pattern; and the cumulative effect of the ideological attack makes itself felt in the wide acceptance of the caricature of Plato as a sort of fascist, or generally totalitarian, thinker. The social effect of acceptance has motivated both Wild and Levinson; and Wild, in particular, mentions the students whose request for information forced him, over the years, to pay closer attention to the ideologists. That social pressure is in itself a significant phenomenon. It is possible only because, on the one hand, our academic institutions are deeply corroded by personnel who furnish resonance for publications of their sect; while, on the other hand, entirely too many talk about the "classical and Judaea-Christian tradition" without shouldering the burden of appropriating it through study of the sources. The two books have importance, therefore, not only as a criticism of the literature in question, but as documents of the intellectual climate. A future historian will read them with interest, especially the fat volume of Levinson, for they reveal what kind of literary production required detailed analysis and refutation because its readers, who presumably were educators and their students, swallowed it hook, line and sinker. The aggregate social effect, thus, has motivated the books. And apparently it was Popper's work that broke the camel's back; for, while the others receive their due share of attention, it is on Popper that both authors bestow most of it.

In their defense of Plato the two authors use in part the same tactics. Wild devotes about one fourth of his book to direct criticism of the above mentioned literature, under chapter headings of "Plato as an Enemy of Freedom and the Open Society" and "Plato as an Enemy of Democracy." Having accomplished his task of demolition as briefly as possible, he proceeds to develop a theory of natural law on the basis of Plato's philosophy, in order to show positively its supreme importance for the rational foundation of social order. This second part of his book far overshadows in importance the first; we can only regret that the occasion will not allow a detailed examination of the author's position. It must be sufficient to say that Wild re-establishes ontology as the basis of a theory of natural law and, therefore, has to go back of the Stoics to Plato and Aristotle in order to find the idea of nature from which could arise the notion of a law of nature. Anybody who is concerned with problems of natural law today will receive help in clarifying his own position from a careful examination of Wild's "Moral Realism." Even the reader who agrees with Wild on principle will feel, however, that his argument would gain in weight, if for its basis it went somewhat further back than Plato. Felix Heinimann's *Nomos und Physis* (Basel, 1945) could be used with profit.

In the first part of his book, with its direct criticism of the anti-Platonic literature, Wild refers on occasion to Levinson's work (which was in progress at the same time as his) for a more detailed elaboration as well as for the philosophical foundation, of his own criticisms. Levinson first states carefully the nature of "The Attack on Plato" (pp. 3–25), and then proceeds to a detailed examination of the charges against Plato and their refutation. Hence, the main body of the work is organized as a classification of the charges and their subdivisions, such as the attacks on Plato as a literary artist, on his mental and moral stature, on his opinions concerning sex and marriage, on his humanitarianism, on his opinions concerning slavery, barbarians, manual workers, and the common man in general, on his Sicilian politics, his duplicity, his lust for self-aggrandizement and power, and, finally, on his totalitarianism. The text is followed by sixteen appendices (pp. 583–645), in small print with double columns, on charges of a more intricate nature which require a correspondingly more extensive treatment.

By virtue of its size, orderly organization, and thoroughness the work of Levinson becomes a handbook on ideological anti-Platonism. Moreover, since, the refutation of the charges required an elucidation of Plato's own position concerning the various problems, it is a handbook on that part of Plato's work that is involved in the charges. Beyond its primary critical purpose the book is a convenient reference work on Platonic topics which appear frequently in current political debate. The critical work itself is a giant feat of excellent and devoted scholarship. To be sure, the ideological literature in question is an easy target for a scholar who knows his business. But anybody who has ever tried to criticize a piece of work which includes mistranslations, use of passages out of context, distortions through omission or generalization, appeals to prejudices of the reader, inarticulate premises, impertinent *non-sequiturs,* misreading of an author's intentions in the light of Marxism, Freudianism, or Positivism, and so forth, will know that such an "easy target" requires an unusual amount of critical labor. Levinson has performed his task, which often must have been unbearably tedious for him, not only with merciless competence, but with rare good humor and in urbane form. The book can be read with pleasure as a model of critical work; the pleasant form only heightens the effect of the massacre.

Wild and Levinson, and especially the latter, have done a public service. We are in their debt for their performance of a tiresome but necessary task. And they have raised a warning signal for ideologists that the time when they could get away with everything is over. For all that, unstinted praise is deserved. Still, the war is not over; and there are certain drawbacks in the method of both authors which require attention. They both proceed by accepting the charges of the ideologists at their face value and then refuting them by recourse to the Platonic text. That procedure is effective in the forensic sense, because the vast majority of the charges are made with such preposterous incompetence that confrontation with reality by a competent scholar is devastating. Moreover, it is the only procedure possible in the analysis of detail. Nevertheless, it should be supplemented by a questioning of the charges, not with regard to their contents, but with regard to their premises. Unless that is done, quite possibly the essential points of both the ideological and the philosophical positions will be missed. If, for instance, the charge that Plato is an enemy of the open society (in Popper's sense of the word) is examined and effectively refuted, as is done by both Wild and Levinson, and if nothing more is said about the matter, then the critic has made the fateful admission that the "open society" is an issue at all and that it would be a bad thing if Plato were found guilty of being its enemy. The detailed examination, therefore, should be followed (or preceded) by an explanation of why the question as such is nonsensical. Plato was not a democrat or fascist, not a totalitarian or humanitarian, not a friend or an enemy of the open society, for the good reason that he was a philosopher and not a political ideologist. Hence, one can save the reputation of Plato forensically by refuting the charges on this or that count, and still destroy the work of Plato by admitting the question at all. Neither Wild nor Levinson, let us hasten to say, are guilty of such betrayal. They both are aware of the problem and mention it. Nevertheless, one would have wished to see it more in focus and given the space which it deserves.

The restraint which both authors show in this respect is all the more surprising because their main target, Popper's *Open Society and Its Enemies*, would have offered them the best possible occasion for penetrating to the center of the evil. For the concepts of the closed and open society, which have achieved a certain notoriety through Popper, were drawn by him from Bergson and perverted practically into the opposite of the meaning which they have in the *Deux Sources de la Morale et de la Réligion*. In Bergson's conception, the archaic society is closed by the authority of its myth; it opens when individuals appear, the prophets, mystics, and philosophers, who open their soul to transcendental reality and establish the possibility of existence in spiritual community, under this higher authority, in opposition to the closed society. And one of the great figures in this liberating opening of society was Plato. Popper's misinterpretation of the concepts of a great philosopher seems to have escaped both Wild and Levinson. It could have been put to good use in the detailed refutation of charges against Plato. And, more important, it would have shown, in a model case, the root of the evil, that is, the hatred of the ideologist for the authority of the spirit.

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Introduction to French Local Government. BY BRIAN CHAPMAN. (London: George Allen & Unwin, Ltd. 1953. Pp. 238. 18 s.)

This volume comes close to being a model monograph in the field of comparative politics. The author, Lecturer in Government at the University of Manchester, not only gives a painstaking and accurate picture of the structure and workings of French local government, but also draws frequent and extremely careful comparisons with corresponding institutions in Great Britain. The minutiae of his report on the French scene are enlivened by quickly told but revealing instances conveying the atmosphere of life and politics in villages and towns. More than one learned footnote fills the reader with the delight ordinarily transmitted only by a *Clochemerle*-like novel or by the sequences of a French film.

A wide range of research materials as well as informed close-range observation lead the author to a number of important conclusions which sometimes run counter to timeworn clichés. Usually French government is characterized quite simply as centralized. Now, since all French communes are subject to the *corps préfectoral,* local government is indeed centralized, if centralization means the subordination of local decisions to the agreement of state officials. But the picture is altered a great deal by the fact that here the state officials deciding on local matters are members of the departmental prefectures or even sub-prefectures, not of the ministry in Paris. Hence they are aware of local difficulties, easily approachable, and fully informed. At least under ordinary circumstances ministerial circulars leave much to prefectoral discretion.

Although such important services as education and police are all but removed from local control in France, the author observes, on the whole correctly, that there is more interest and more vitality in French local government than in its British counterparts. To a considerable extent this can be explained by the smallness of most French communes (in 1946 almost two-thirds of them had under 500 inhabitants). But one of the most fundamental causes of the vitality is probably the personal element palpable throughout the local government system. The concentration of authority in the hands of the French mayor and the fact that a local political career is commonly regarded as the proper and natural step to a national career tend highly to personalize the processes of local government. (It is true that these phenomena, healthy at the bottom, have unfortunate results on the apex of political life: in parliament local issues are given far too much weight especially for the limited resources of an insufficiently expanding economy. Since local influences often favor claims of seniority, it is extremely difficult to renovate political leadership, as the restoration of the cadres of the Third Republic, fairly soon after the establishment of the Fourth, has clearly shown.)

The author gives a carefully balanced account of what is efficient and what is not in the processes of French local government. Among the factors which hinder the, in many respects, prompt, smooth, and predictable dispatch of business, he cites the present system of local finance and the frequent illicit interference at higher levels, especially by deputies and senators.

For those interested in the growth of administrative law and in the possible protection of the citizen from administrative abuse by local authorities, the author's excellent chapters on the tutelage of local government and on the administrative courts will prove particularly rewarding. His analysis of the complicated machinery and of the functioning of the *Conseil d'Etat* is masterful, and it is only to be regretted that the author was not able to consult the recently published jubilee volume on the supreme administrative court. The conclusions reached appear extremely sound. In judicial control of administrative acts the French remedies are as effective as the British, more clearly defined, more easily invoked, and less expensive. Yet the French administrative courts are not as successful as the British in fearlessly denouncing attempts to infringe on the freedom of the individual. To explain such differences fully it would have taken deeper-probing investigations than the author is able to include in the compass of his study, modestly called an "Introduction."

The value of his work would have been enhanced, if Mr. Chapman had found it possible to consider the problems besetting local government against the broader political issues of various periods. It would, for instance, be most interesting to see the law of 1884, the basis of all communal government in France, interpreted as part of the large legislative reform movement of that era. The author's pertinent statement that a number of reforms which recommend themselves in our times cannot be carried out because they smack too much of experiments tried during the Pétain regime, would be made more significant by a general consideration of the extent to which Vichy used and abused ideas and men—to the great detriment of present-day France.

But then not everything could be discussed in such an admirably succinct volume as the author has given us.

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The Constitution of the United States of America: Analysis and Interpretation; Annotations of Cases Decided by the Supreme Court of the United States to June 30, 1952. BY THE LEGISLATIVE REFERENCE SERVICE, LIBRARY OF CONGRESS. EDWARD S. CORWIN, EDITOR. (Washington: Government Printing Office. 1953. Pp. xxiv, 1361. $6.25.)

Senator Wiley's preface quite properly characterizes this monumental work as "a map, so to speak, of the great historical landmarks of constitutional jurisprudence." It clearly is the best map yet published, and is the book bargain of the year. In general, the volume follows the pattern set by W. C. Gilbert in the 1938 edition. The annotations have been made with care, and testify to the fact that we have come to view our Constitution almost exclusively through the case law. A table listing over 4,000 cases involving questions of constitutional interpretation, detailed tables of contents preceding each Article and each Amendment, and a subject-matter index give ready access to the body of the work. Frequent cross references also are helpful, but even more should have been given.

Commercial publishers, apparently in an effort to drain every drop of value from judicial opinions, have almost completely abandoned any effort to distinguish between even the purest *obiter* and remarks having at least some bearing upon the outcome of the case. Professor Corwin and his staff, which included Robert J. Harris, have avoided all pretence of such delusive completeness, and as a result cases generally are cited only for points for which they constitute real authority. Many of the annotations approximate essays upon the subject at hand. Those concerning naturalization, the contract clause, executive agreements, the interpretation of state law by federal courts, the expansion of the writ of habeas corpus, the right to counsel in state courts, and the admissibility of forced confessions are especially good.

This is not to say that the work is perfect. My students have found the references to *Houston* v. *Moore*, 5 Wheat 1 (1820), very misleading, and at no point do the editors bring out the fact that this case clearly sustained the trial of a federal crime in a state tribunal and rejected the now accepted rule that overlapping state and national criminal laws may coexist. In the section on bankruptcy, no mention is made of *Faitoute Iron & Steel Co.* v. *City of Ashbury Park*, 316 U.S. 502 (1942), which certainly has weakened *Sturges* v. *Crowninshield*, 4 Wheat. 122 (1819). *Indian Motorcycle Co.* v. *United States*, 283 U.S. 570 (1931), is not (as stated on page 106) the only case "since the turn of the century" in which "the national taxing power has been further narrowed in the name of Dual Federalism"—see *Burnett* v. *Coronado Oil Co.* 285 U.S. 393 (1932). And of course the Constitution did not "deprive the States of all admiralty jurisdiction and vest it exclusively in the federal courts," as stated on page 572. That, as we are correctly told seven pages later, was accomplished by statute. There are other defects of similar nature, but they are found so much less frequently than in any other treatise of comparable scope that one must marvel at the care with which this volume has been edited.

Now that the Court follows tests of "reasonableness" in virtually all fields of constitutonal law, even those where absolutes once prevailed, *e.g.*, the contract clause, there certainly is no reason to expect any decrease in the flow of precedents. The time soon may come when we will not be able to afford the luxury of new editions of such works as this at fairly short intervals, but will be held to supplemental volumes instead. With this in mind, the Legislative Reference Service might be well advised to keep careful notes as it makes use of this edition, looking toward the publication of a supplement. With such a supplement, it could continue to serve as an excellent basic volume until such time as a completely new revision becomes imperative.

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American State Legislatures: Report of the Committee on American Legislatures, American Political Science Association. EDITED BY BELLE ZELLER. (New York: Thomas Y. Crowell Co. 1954. Pp. ix, 294. $3.50.)

This book reports the findings, conclusions, and proposals for action of twelve people who constituted the Association's Committee on American Legislatures. Two of the members have long been directors of research for state legislative councils. One is an official of the Legislative Reference Service of the Library of Congress. Still another for many years has occupied positions in a state capitol which permit close observation of a legislature at work. The other eight members of the Committee are in academic life and have written about legislatures and lawmaking. No doubt we may safely presume that what these twelve persons thought most important to say about American state legislatures is essentially what American political scientists generally believe ought to be said on that subject.

The Committee lists in six numbered statements the objectives toward which it has been working and which it hopes this book will help to achieve. The six boil down to three: (1) to collect a body of factual data which will support recommendations for reorganization or reform of state legislatures; (2) to cause other persons and organizations to stir up interest in and encourage reform; and (3) to stimulate "broader research" relating to legislatures and the legislative process. The role of this book in this broad program seems to me to be the following: (1) it arrays familiar and newly collected information about state legislatures; (2) it indicates what the Committee likes and does not like about state legislatures and therefore may be said to identify problems; and (3) it makes recommendations for change in organization, procedures, and behavior.

The principal addition to our previous stock of facts about state legislatures is presented in a chapter of 25 pages entitled "Party Organization and Control." This is a summarization of the returns on a questionnaire which went to "two or more competent persons in each state." "At least one reply was received from each of the forty-eight states—in most cases two or three" (p. 192). Tables show the distribution of party affiliations in recent sessions of each state legislature; show how committee members are chosen and how often committees meet; and evaluate the strength of party loyalty and the effectiveness of the agencies or instruments of parties in the several states. What appears in the tables is, of course, extended by many statements of fact in the text. There are also, scattered throughout the book, many facts that I was not familiar with about training and orientation of new members of legislatures, retirement benefits for legislators, limitations on debate and rules of procedure in legislatures, physical format of legislator's handbooks, facilities for and practices in bill drafting, availability of office space for legislators, and registration of lobbyists. I have not been diligent in my reading on these subjects and do not know how much of the information which appears in this book has previously appeared in professional journals and reference books like *The Book of the States*.

Far more prominent in this book than arrays of factual information are recommendations for action which the Committee thinks will elevate the quality of our legislators, assure better relations between the legislature and other parts of our state governments, and improve the product of the lawmaking process. The numbered sentences and paragraphs which appear under the heading "Recommendations" add up to an even 50. Here and there in the text are additional specific recommendations for change, and many a sentence that purports to indicate what exists or occurs is heavily weighted with implication that something else would be better. If this book comes to have an honored place in our literature I am sure it will be because people like the reforms which are proposed and not because people think the Committee's research efforts were noteworthy.

The Committee did not bring together in summary statement either its judgment as to what would be a near-ideal lawmaking body for an American state or its views as to what are the most praiseworthy features and main inadequacies of the legislatures we now have. I am unable to construct such a statement on either point by assembling the unequivocal statements which appear at various places in the book. The best I can do for the reader of this review is to provide some summary statements of my own which attempt to indicate main preoccupations of the Committee, the beliefs of Committee members about necessary relationships among parts of a complex whole, and the convictions of Committee members as to what the American people would like or what is good for them.

1. The Committee appears to believe that the main features of legislative organization which are best for one state will be best for all of them. There is no outright assertion to this effect in the book, but it seems to me to be the clear implication of the whole book. Neither descriptive statement nor evaluative commentary brings together the significances for legislative structure of differences in total state population or density of population; of differences in urban-rural distribution of population or differences in concentration of urban population in one, two, or more than two great cities; of differences in party structure which differentiate two states like one-party Alabama and two-party Indiana. The nearest the Committee comes to an admission that the basic features of legislative structure ought to respond to the conditions of life in a state is the assertion (p. 78) that "The larger and more populous states seem to require more legislation and thus more time from the legislator."

2. Although the main concern of the Committee was with reconstruction or reform and the implication of its book is that there is a near-ideal legislative structure applicable to all states, it does not supply the reader with the parts which would enable him to construct a conclusion as to what the Committee thinks would be near-ideal. I cannot tell whether the Committee thinks that allstate legislatures (or for that matter any of them) ought to be about as near a fulltime lawmaking group as Congress is, or as the New York State legislature is, or as the Arkansas legislature is. The Committee was not even able to make up its mind whether all states ought to have unicameral bodies or whether some may be conscience-clear if they retain the bicameral form. (See pp. 58–60 for its ambivalence on this point.) It does say firmly that legislatures need not be as large as they are in most states; that a unicameral body and the lower house of a bicameral legislature ought not have fewer than forty members; that in bicameral legislatures the desirable ratio of members is one in the senate to three in the lower house; and that legislative councils should be improved in some states that have them and established in all states that do not have them.

3. The Committee indulges in positive assertions of highest significance if true, without supplying any support in evidence, in reasoning from generally accepted beliefs, or in presentation of grounds for personal preference. Illustrative: "Lower houses are usually more democratically constituted; yet because of their larger size they can be more easily controlled by frequently conservative legislative oligarchies, and because of the smaller constituencies of their members can be more readily dominated by localism, which often makes them resistant to the broader needs of the state as a whole" (p. 50). " . . . there is little correlation between high salaries and superior laws" (p. 78). "Limiting sessions intensifies all evils associated with legislative halls" (p. 93). "The

tendency everywhere is for the debates on the floors of both houses of the state legislature to decline in importance, and for the real consideration of proposed legislation to be given by the committees" (p. 95).

4. The book is highly uneven in its treatment of evidence and reasoning for and against its recommendations. Probably it did the best job of balancing pros and cons on the question of unicameralism vs. bicameralism. On some points where the Committee thinks the state legislatures ought to do something that Congress is doing, the fact that Congress does it is presented as evidence that the state legislatures ought to do it; but on points where Congress is doing exactly what the Committee thinks state legislatures ought not to do, the misdeeds of Congress are not mentioned. The Committee asserts that local government units have "not proved satisfactory" as bases for construction of legislative districts and recommends that they be disregarded in laying out districts "insofar as is consistent with efficient election administration" (p. 46). There is no mention of the relation that party organization which is fitted to local government units bears to the ability of voters to learn about candidates for legislative posts and to get together in the effort to nominate or elect one candidate and defeat another. While the entire discussion of district making and assignment of representatives appears to be based on the presumption that the ratio of population to seats in the legislature ought to be uniform throughout the state, there is no mention of the likelihood that 50 legislators from the great city may be members of a common tightly-knit party organization and cast their votes in keeping with a common agreement or instruction, and so have a collective power quite out of proportion to the power of any other 50 legislators who speak for people living in smaller cities, towns, and rural areas.

5. Finally, the Committee does not supply guides for further inquiry. There are admissions of inadequate knowledge and pointings to needed research. But there are no precise formulations of problems that need to be explored, coupled with thoughtful comment about the setting of the problems in a bigger complex of which they are a part. This is not to say that this first report of the Committee will spur no one to careful and imaginative research on matters relating to state legislatures and their behavior. The Committee states that "The fundamental basis of all legislative improvement in the United States, both national and state, is no doubt a root-and-branch reform in our system of party politics with a view to creating more responsible party government" (p. 213). On page 88 it makes the positive recommendation that elections for members of state legislatures "should not be scheduled in presidential election years, or years when the mayors of large cities are elected." Who can fail to see the joinder of these two statements as a challenge for research?

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Modern China's Foreign Policy. BY WERNER LEVI. (Minneapolis: University of Minnesota Press. 1953. Pp. 399. $5.50.)

Werner Levi has trod where angels fear to. His objective has been to analyze and interpret in 350 pages the nature of Chinese foreign policy over the eventful eleven decades since 1842, emphasizing the significant trends and causative factors, both internal and external. The Chinese response to the situations which have confronted them constitutes the focus of the analysis.

Beginning with a study of the inadequacy of the old Confucian order when confronted with the imperious Westerner, the author traces the development of the strategy of playing off the Western powers—and later also Japan—against each other, and the interplay between the movement for internal reform and foreign relations. He finds that Chinese policy favored the maintenance of China's territorial integrity, and that the development of Chinese nationalism was a response to the need for unity against repeated foreign encroachments. The relation between the Revolution of 1911 and foreign loans, and the diplomatic failures and successes of the Tuchun and Kuomintang periods are analyzed, and reference is made to the inability of Sun Yat-sen to obtain support from the West before he turned to the Soviet Union and the Communists for assistance.

The tragic events of the fifteen years 1937–1952 receive closer attention in the last third of the book. In evaluating the reasons for the fall of the Kuomintang on the mainland, Professor Levi draws a sharp distinction between the political debate in the United States and the historical record. In his judgment the blame rests primarily on the weaknesses of the Chiang Kai-shek regime and the difficulties inherent in the situation as a result of a long war and other internal factors, rather than upon the role played by the United States. The final chapters are devoted to an incisive summary of the theory and practice of Chinese Communist foreign policy. From such sources as *Soviet Press Translations* and *Survey of China Mainland Press*, material is gathered to trace the bases for the hate campaign against the United States (the source of all evil), relations with the Soviet Union (likely to remain very close for some time despite potentialities for friction), and Communist China's expansionist ambitions in Asia.

Professor Levi explains his failure to use Chinese language sources as "an omission that might justly be considered inexcusable if the purpose of the book were not analytical rather than descriptive." Although the value of his work might have been enhanced by the use of these sources, the wealth of materials in Western languages, extensively referred to in his notes, is probably sufficient for his purpose.

The difficulties confronting the author were not only those inherent in interpretation but also those of selection and emphasis. The omission of descriptive material and adequate maps may make possible a focus on analysis, but, by its assumption of considerable prior knowledge, it limits the usefulness of the book for the beginner. On the other hand, the scholar may complain that he remains uncertain as to the bases from which some of the inferences are drawn, and may at points question whether the descriptive data will adequately support some of the generalizations made. Was, for example, the reform edict of September 1, 1906 an attempt by the Manchu government to foster a modern nationalism (p. 92), or was it really based on a revival of Confucian principles? Again, what is meant by the generalization (p. 146) that the intellectuals as represented in the Kuomintang "were little superior to the war lords?"

It is certainly true that the inclusion of the descriptive material would have resulted in an unwieldy volume several times the length of this one. At the same time the virtue of brevity may be pushed to the point of sacrificing thoroughness. Professor Levi refers often to the relation of foreign policy to internal situations, but too frequently the underlying strategic, economic, and cultural factors and their effects on foreign relations are not carefully analyzed. A more thorough analysis would also require greater consideration of alternatives confronting policy makers. Finally, such vital matters as the Revolution of 1911, relations among the Soviet Union, the Chinese Communists, and the Kuomintang in the 1920's, American policy toward China during the Second World War, the Yalta agreements and the power vacuum after the war, all receive such hasty treatment that the author runs the danger of leaving his reader with erroneous impressions.

It follows that the results of Professor Levi's efforts are mixed. On the one hand, his book seems superficial and suggestive, rather than definitive. On the other, it contains some valuable insights. Viewed as a statement of one man's intelligent opinion about the nature of some very important events, the work is stimulating and provocative. The difficulties he encountered should not serve to discourage further analytical studies toward the same objectives.

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War Labor Boards in the Field. BY ALLAN R. RICHARDS. (Chapel Hill: The University of North Carolina Press. 1953. Pp. vii, 281. $1.25.)

When an agency of the federal government establishes field offices in various parts of the United States, what planning and forethought go into the decision to decentralize, and into the process of decentralization itself? What answers will be found to questions concerning the use of other agencies already in the field, the geographical jurisdiction of each field office, the problems of staffing the field offices, the extent of authority to be delegated, the fixing of guides and criteria for the exercise of delegated authority? How can the necessity for unified direction and policy determination be reconciled with the necessity for variations to meet local requirements, and industrial, geographical, and cultural differences prevailing in diverse sections of the country? How can authority and discretion be delegated, yet their exercise by field offices be effectively coordinated, supervised, and controlled? Shall responsibility be channeled through the regional director to the national office, or shall it be along functional lines with each functional division or bureau in the field responsible to its counterpart in the national office? Can dual or multiple and divided supervision be effective? Can technical and administrative supervision and responsibility be separated?

These and many other questions of administrative policy demand consideration before field offices are established, and should be resolved by careful thought and planning in the home office before regional directors are given responsibility for local administration of federal law. Allan R. Richards' study of war labor boards in the field reveals the attempts of one agency, the National War Labor Board, to meet these problems. The results of his study make it abundantly clear that too many of these questions were not only not resolved prior to the establishment of regional war labor board offices in 1942, but were never fully and carefully thought out and resolved by the time the Board—and its successor, the National Wage Stabilization Board—ceased to exist in 1947.

Perhaps it is too much to expect that an agency suddenly charged with the tremendous responsibilities of a national wage stabilization program plus the settlement of labor disputes in the hectic environment of a wartime economy should find the time for planning and thought, especially during its formative period. Those associated with the Board will quickly recall the pressure for action and reduction of "backlogs" which left little time for contemplation and theoretical analysis of administrative procedures. Yet, as the author points out, while the speed of war made planning more difficult, it at the same time made it more important. In this instance the difficulties of planning were not overcome. "If the National War Labor Board's program holds any administrative lesson," concludes the author, "it is that an agency considering decentralization must necessarily do a thorough job of substantive and procedural planning before decentralizing. In this regard the National War Labor Board failed miserably."

Here is a valuable case study of the administrative process in one wartime agency. Through the whole study runs a theme of confusion and frustration in regional offices originating in the failure of the national office to plan sufficiently for decentralization, to provide adequate guides and criteria for field decisions, and to clarify lines of authority and responsibility between national and regional offices. It is a case study which should be read by every administrator responsible for the direction of the work of field offices, for the War Labor Board was not unique in its "miserable failure." Similar shortcomings can be credited to older, peacetime agencies which have the time and opportunity to profit by the experiences of the War Labor Board so clearly scrutinized and exposed in this book.

Utilizing War Labor Board material now in the National Archives, interviews with former Board employees, and his own experience in one of the regional offices, and drawing on a strong background of public administration theory, the author has produced a worthwhile addition to the literature on a very important area of public administration, long neglected by scholars, known as field administration. The author emphasizes its importance by pointing out, as did the Hoover Commission, that "approximately ninety per cent of all federal employees" work in the field. The neglect is underlined by the comment that fewer than ten case studies of field problems are available, while the "literature on top level administration outnumbers the literature on field administration by at least twenty to one."

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BOOK NOTES AND BIBLIOGRAPHY

AMERICAN GOVERNMENT AND POLITICS

The American President. By Sidney Hyman. (New York: Harper & Bros., 1954. Pp. 342. $4.00.)

The evolution of the presidential office is one of the spectacular developments in American political history. The contrast of the undernourished years of General Washington's tenure and the luxuriance of the present office is sufficient to challenge the attention of scholars. In recent years there has appeared a veritable deluge of scholarly works upon different phases of this subject. This growth in the executive office features two distinct developments—administration and political leadership.

Most of our recent studies relate to some aspect of the administrative facet, from painstaking investigations of specific periods, like those of Leonard White on the earliest administrations, to those on the interrelations between legislative and administrative functions, such as that of Charles Hyneman.

Though scholars like Pendleton Herring have made memorable contributions, the growth of the president's political leadership has received much less attention. The subject is intriguing. A president may simultaneously be the recognized leader of a minority faction of his party, and of the whole people, depending upon the issues which are immediately involved. Crisis on the domestic and international fronts, with the resultant decline in partisanship, prepares the fallow for the emergence of the president as the representative of the whole people. Of recent presidents, Woodrow Wilson, Franklin D. Roosevelt, Harry Truman, and Dwight Eisenhower have unquestionably filled that role.

The present study by Sidney Hyman relates essentially to the political aspects of the presidential office. The author is interested in the types of individuals who are chosen by the American electorate and in the views which they have held concerning the scope of presidential powers. With the former, Mr. Hyman is quite successful. His analysis of "The President as an Artist" (Ch. 4) is like a breath of fresh air. He understands the problems of institutionalized political leadership. And he is quite familiar with the difficulties of a president in the patronage "rat race." He writes like a journalist, with verve and a scintillating style. But there are many lacunae in his knowledge of the personal qualities of those who have filled the presidential office. He knows Jefferson, Jackson, Lincoln, the two Roosevelts, and Truman quite well. But his conversance with, or perhaps his interest in, several of the less famous presidents is not apparent.

Though the author's approach is novel, and his treatment equally unconventional, many of his views represent a distinct contribution to the subject. For instance, he insists that our traditional classification of presidents as strong or weak, on the basis of their utilization of powers constitutionally delegated to one or the other departments of government, is unrealistic and not quite accurate historically (p. 66). All regarded themselves as constitutional officers. They were primarily strong or weak in relation to their ability to manipulate public opinion. The author is likewise cognizant of the preponderant power of the agrarian population in the nomination and election process; nevertheless he is a fairly effective defender of the present system, rather than of proposals for a nationwide presidential primary and the abolition of the electoral college. In all, the study is quite satisfactory and is a welcome addition to the literature on the presidential office.—Cortez A. M. Ewing, *University of Oklahoma.*

Hidden Threads of History: Wilson through Roosevelt. By Louis B. Wehle. With an Introduction by Allan Nevins. (New York: Macmillan Company. 1953. Pp. xix, 300. $4.00.)

The hidden threads of history here presented are the personal experiences and observations of a man who performed many public services and had constant close personal contacts with people who were themselves high in public affairs from Wilson through Roosevelt and on into the period of postwar reconstruction. In fact some of the more significant personal relationships which Mr. Wehle here reveals began somewhat earlier: He was in college with FDR, for example, and a friendship developed between the two men which was continued by correspondence and conferences until the Spring of 1944 when, on his own initiative, he conferred with the President concerning a successor to Vice President Wallace. Consequently, the part played by Mr. Wehle in Roosevelt's career and his analyses of the man are his most important contributions. His description of the TVA power struggle would probably come next.

Mr. Wehle believes that "obscure random occurrences have sometimes made history" and that lives of nations and of men often turn on narrow margins. Thus he undertakes here to reveal the "obscure occurrences" and "narrow margins" in which he may have played some part and to which he may have made some contribution. Naturally, not all of his efforts changed the course of history.

The Democrats did not go along with his suggestion in 1920 of a Hoover-Roosevelt slate for the national ticket. Some of the party leaders seemed sufficiently responsive to the recommendation but Mr. Hoover was something of a problem. He wasn't sure whether he was a Republican or a Democrat. The best he could do was to classify himself as a progressive with a small "p." Nor was Mr. Wehle successful in 1944 in persuading Mr. Roosevelt to accept James Byrnes as his running-mate. The President agreed as to Byrnes' fitness but regarded him as unavailable on religious grounds—a former Roman Catholic who had become an Episcopalian as the result of marriage to a member of that faith. Mr. Wehle wanted someone from the deep South "to offset the enraging effect in the South of Mrs. Roosevelt's personal crusade for racial equality." He thought it unnecessary to mention this point to the President but he did indicate his firm conviction that Henry Wallace, whom he regarded as "superficial," "impulsive" and "immature," should not be renominated. He does not take credit, however, for blocking the renomination of Wallace nor for the nomination of Mr. Truman.

Those who wish a better understanding of the last three or four decades will discover in this carefully written account many interesting and informative sidelights. The author's observations of men and events are thoughtful and objective. Even his admiration for Roosevelt and the Roosevelt record is counterbalanced by serious qualifications. There were "gigantic blunders," he says, and many failures. He believes the President's "overconfidence in his superficial judgments, his short-sighted motives of party expediency, and his zest for the game of personal power," too often "led to a definitely second-rate statecraft." However, in preparing his own balance of accounts on this period he reaches the conclusion that the historian who undertakes to prepare a final balance sheet may find himself "as greatly overworked as was Roosevelt himself."—E. ALLEN HELMS, *The Ohio State University.*

Race, Jobs, and Politics: The Story of FEPC. BY LOUIS RUCHAMES (New York: Columbia University Press. 1953. Pp. x, 255. $3.75.)

Governmental action against discrimination in employment can be based, theoretically, on three different approaches: an educational program leading to voluntary cooperation; an educational program for long-range results coupled with a regulatory program with sanctions available for immediate gains; and finally, a regulatory program alone. Insofar as I know, the third approach has never been suggested. However, both of the first two methods have been tried, and the results obtained from the national FEPC and the eleven state and twenty-eight city FEPC's seem to indicate that under certain conditions the educational, voluntary approach has been of little value, but that the educational program coupled with the use of sanctions when they were necessary has had some success. Professor Ruchames' book tells the story of the use of the first method by the two Fair Employment Practice Committees created by executive order during World War II. He begins by tracing the forces that led to the issuance of the first order (there were ultimately three), and then examines the Committees in action. Because of the lack of funds, the first FEPC did not investigate individual charges of discrimination, but devoted its energies to holding public hearings throughout the country in an effort to educate the public as to the government's anti-discrimination policy. With the establishment of fifteen field offices, the second FEPC shifted its emphasis and did attempt to resolve individual complaints—with some notable successes and failures.

Much space is devoted to a discussion of FEPC's friends and enemies. Management groups and the AF of L were generally antagonistic, while the CIO was usually cooperative. Other government agencies were sometimes friendly and sometimes antagonistic. USES offices in the North were generally cooperative, while those in the South often assisted employers wishing to discriminate. The War Shipping Administration, the Maritime Commission, and the War Manpower Commission oftentimes did not seem to believe that the war could be won and discrimination be reduced at the same time. Relations with Congress were never good, with the friends of FEPC refusing to come to the aid of the Committee when their colleagues voted inadequate funds, accused the Committee of being communistic, and used arguments which were blatantly false. Indeed, the purpose of the Smith Committee hearings in 1944 seemed to be to discredit the Committee and to provide a forum and lend support to a particularly difficult respondent.

One chapter is devoted to FEPC progeny, both state and local. Inasmuch as these state and local FEPC's are the only ones in existence at this time, I should have preferred a fuller treatment of the subject. In one of the most interesting chapters, the author raises questions about FEPC and private enterprise, FEPC and the South, and FEPC and industrial strife. Here, again, a fuller discussion would have been welcome.

Much of the author's material has been reported elsewhere, but what is presented is well written (although somewhat repetitive) and should be useful for students. The book as a whole, and the chapter dealing with "The Committee in Structure and Function" in particular, would make an interesting assignment in a course in public administration. The last chapter, in which the author discusses "The Movement for Permanent FEPC Legislation," is a good case study of parliamentary maneuvering designed to defeat a proposed bill. Also, the book would be useful to illustrate the shift in American thinking from laissez-faire to positive government.—Felix Rackow, *Brown University.*

The History of Voting in New Jersey: A Study of Election Machinery, 1664–1911. By Richard P. McCormick. (New Brunswick, N.J.: Rutgers University Press. 1953. Pp. xii, 228. $5.00.)

A scholarly "history of the development of the election process in New Jersey from the beginnings of English settlement down into the twentieth century," which makes a valuable contribution to a field hitherto neglected except for the colonial period and with respect to special aspects of the subject in a few states since that time.

Public Opinion and Propaganda: A Book of Readings. Edited by Daniel Katz, Dorwin Cartwright, Samuel Eldersveld and Alfred McClung Lee. (New York: The Dryden Press. 1954. Pp. xx, 779. $6.25.)

A compilation of well-chosen selections from the contributions of 91 publicists and writers in the various social sciences to the subject of public opinion, prepared under the auspices of the Society for the Psychological Study of Social Issues and designed for use in all the social disciplines which give attention to the study of public opinion and propaganda.

Index to Congressional Committee Hearings in the Library of the United States House of Representatives Prior to January 1, 1951. Compiled by Russell Saville. (Washington: Government Printing Office. 1954. Pp. 485.)

The *Index* for the most part lists House Committee hearings. The main arrangement is alphabetical by title. There is also an arrangement by committees, and a table by Congress and bill numbers.—J.B.C.

Metropolitan Los Angeles: A Study in Integration. VIII. Water Supply. By Vincent Ostrom. (Los Angeles: The Haynes Foundation. 1953. Pp. xii, 177. Cloth, $2.75; paper, $2.25.)

A study of the problem of water supply for the metropolitan region of Southern California with much wider interest than the sub-title might indicate. Although there is an emphasis upon the administrative phases of the problem, the study extends generally to governmental aspects.

Era of the Oath: Northern Loyalty Tests during the Civil War and Reconstruction. By Harold Melvin Hyman. (Philadelphia: University of Pennsylvania Press. 1954. Pp. xiv, 229. $5.00.)

Alan Barth's description of our day as the "era of the oath" is applied by the author to the Civil War and Reconstruction, as he traces the historical events (without much analysis of court decisions). He concludes that the oaths failed: they did not measure loyalty, were condemned by the courts and eventually discarded, and were taken by persons holding neutral reservations not contemplated by their framers.

The Test of Freedom. By Norman Thomas. (New York: W. W. Norton & Co. 1954. Pp. 211. $3.00.)

A further elaboration of the well-known viewpoint of the author on the subject of civil liberties dealing with "the state of liberty under the twin attacks called communism and McCarthyism."

From the Declaration of Independence to the Constitution: The Roots of American Constitutionalism. Edited with an Introduction by Carl J. Friedrich and Robert G. McCloskey. (New York: The Liberal Arts Press. 1954. Pp. lxviii, 71. $.75.)

A reprint of several basic documents, including the Declaration of Independence, the Articles of Confederation, and the Constitution, with a sophisticated 60-page introduction on the background of political thought and the adoption of the documents.

Elihu Root and the Conservative Tradition. By Richard W. Leopold. Edited by Oscar Handlin. (Boston: Little, Brown and Co. 1954. Pp. x, 222. $3.00.)

This volume reviews the career of Elihu Root as lawyer, Secretary of War, Secretary of State, United States Senator, and elder statesman with a view to assessing his contribution to American conservatism, the lead in the formulation of which, according to the editor, has generally fallen into the hands of lawyers, who are "most sensitive to the restraints of the legal system" and who wish "to extend those restraints to all politics."

Franklin D. Roosevelt: The Ordeal. By Frank Friedel. (Boston: Little, Brown and Co. 1954. Pp. 320. $6.00.)

The Ordeal is the second volume of the author's projected six-volume life of Franklin D. Roosevelt. It carries the subject from the end of his Navy career, through his campaign for the Vice-Presidency and his siege with polio, up to his election as Governor of New York.

The Republican Roosevelt. By John Morton Blum. (Cambridge: Harvard University Press. 1954. Pp. viii, 170. $3.50.)

An attempt at a somewhat new interpretation of Theodore Roosevelt as President and political leader by an associate editor of *The Letters of Theodore Roosevelt* (8 vols., Cambridge, 1951–1954).

Review and Reflection: A Half-Century of Labor Relations. By Cyrus S. Ching. (New York: B. C. Forbes and Sons Publishing Co. 1953. Pp. vi, 204. $3.95.)

An informal and interesting presentation of the experiences and conclusions of a prominent figure in the field of labor relations in the United States during the last fifty years.

American Planning and Civic Annual. Edited by James Harlean. (Washington: American Planning and Civic Assoc. 1953. Pp. xii, 162.)

A joint publication of the American Planning and Civic Association and the National Conference on State Parks, which presents addresses and reflects the tenor of discussions at the 1953 conferences of the two organizations. The Civic Association's meeting stressed metropolitan and regional planning, and that of the National Conference gave attention to park progress and financing.

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FRANKLIN L. BURDETTE

University of Maryland

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FOREIGN AND COMPARATIVE GOVERNMENT

The Doctrine of Responsible Party Government: Its Origins and Present State. By Austin Ranney. (Urbana: The University of Illinois Press. 1954. Pp. xi, 176. Paper, $3.00; cloth, $4.00.)

Most of the recent controversial literature regarding party government contains little or no reference to the work of earlier generations of political scientists and fails to profit by their contributions. Professor Ranney sets out to analyze the works of a group of these writers and to discover what they have to contribute to the present disputation. He selects for study the writings of Wilson, Lowell, Ford, Goodnow, Ostrogorski, and Croly, and concludes that "There is very little indeed in the present-day discussion of the doctrine of responsible party government that they did not consider and, in some respects, consider more thoroughly and satisfactorily than any of the writers of our own time are doing" (p. 155).

What the study shows to an even greater extent is that the earlier writers were guilty of most of the same mistakes and incompletenesses of analysis that plague the subject today. In some degree, Mr. Ranney reveals these errors by his own dissection of the problems. Following the course between the Scylla of logomachy and the Charybdis of ambiguity and confusion arising out of the loose use of words, he holds a steady tiller. Not all confusion is avoided, but definite progress is made.

The author points out, for instance, that writers frequently move from the existent to the ideal without realizing their shift, and that they often overlook the fact that the requirements of democracy *within* the parties may conflict with the necessities of democracy *between* the parties. He makes it clear that supporters of "party government" who believe that their opponents simply fail to understand the logic of the political process seriously underestimate the depth of the chasm that separates them from their opposition.

But Professor Ranney, and many of the contemporary writers he refers to, would do well to reread Walter Lippmann and remind themselves of the dangers entailed in the use of such terms as "the people" and "the will of the majority." Writers pro and con on majority rule have concentrated too much on the questions of what ought to happen when a majority wills "X," and of what institutions would best secure this result. Since, as all followers of opinion polls must realize, a *majority* will or opinion on most of the questions that governments have to answer does not exist, this controversy becomes, if not irrelevant, at least peripheral. Along with the belief that "the people" *have* a will on most political issues frequently goes the conviction that they can do no more than say "yes" or "no" to questions over whose formulation they have no control. Thus in England Bagehot and in this country Henry Jones Ford, with his emphasis on the limited role of the voter, combine majoritarianism with philosophies that are essentially aristocratic. (The fact of this combination seems to have escaped the notice of writers on this subject.) The sharp distinction between control and participation on which such a theory must rest is indeed far less valid than the largely discredited distinction between politics and administration. The truth of the matter is that there is both less and more "popular will" than writers of the "majoritarian" and "party government" schools seem to believe. It may be suggested that we need less attention to the question posed by the author, "What *is* democratic government, and what does it require?" and more to the questions, "What *kind* of (democratic) government do we want, what do we have, and how do we get from here to there?"

If Professor Ranney's book serves to stimulate attention to these questions, and to provide useful aids to analysis, it will have earned its keep, and more.—J. ROLAND PENNOCK, *Swarthmore College.*

Democracy in Alberta: The Theory and Practice of a Quasi-Party System. BY C. B. MACPHERSON. (Toronto: University of Toronto Press. 1953. Pp. xii, 258. $5.50.)

Students of comparative government and of political parties have written extensively of variations in party systems. Several general descriptive concepts have become familiar, although their use is often qualified by warnings that unique characteristics attach to every party system.

There is the multi-party system, chiefly associated with continental countries; there is the two- or three-party system, chiefly associated with Anglo-American democracy; there is one-party totalitarian government; and there is no-party or nonpartisan government, most often advocated for local jurisdictions where efficiency of administration rather than decision on public policies is the principal goal.

In this book on democratic government in the province of Alberta, Canada, Professor Macpherson develops the concept of a "quasi-party" system. He argues that between 1921 and 1935, when the United Farmers of Alberta dominated provincial politics, and since 1935, when control abruptly shifted to the Social Credit movement, a type of party government has prevailed that does not fit the conventional concepts and cannot be thought of adequately as a deviation from them. He suggests that this quasi-party system may be found in others of the prairie provinces, and to a degree in Canadian federal government, and that its roots in the social and economic structure are sufficiently deep to make it a continuing twentieth-century political form.

A social-economic-political movement captures most of the legislative seats. Control is not complete, however, for there is organized party opposition that wins a few seats. Because the movement wins elections and must govern, it displays enough of the essential attributes of a political party to be called one. Yet in the content of the movement's program, emphasis falls on effective administration rather than policy formation, and there is deliberate rejection of alternate-party government. These are the distinctive political features in Alberta.

Two basic characteristics of the province's economy are cited to explain its political organization. It is a *petit-bourgeois* society made up preponderantly of "independent commodity producers," and it occupies a position of quasi-colonial dependence on the financial and manufacturing interests of eastern Canada. The homogeneity of the economy provides no basis for a competitive party politics within the province, and the party system in the dominion government is viewed as the instrument by which the agricultural provinces are exploited.

Historically, these two conditions led to the imperfectly fulfilled experiences of "delegate democracy" under the U.F.A. and "plebiscitarian democracy" under Social Credit. The author traces these experiences, and then interprets and evaluates them in terms of two theories of the function of party. He prefers the class theory of democracy, first developed prior to universal suffrage, in which the party system contains and moderates class opposition and protects against arbitrary government, rather than the prevalent pluralistic theory of twentieth-century, liberal-democratic thought in which the party system mediates neutrally among numerous diverse group interests. He concludes in the end that in the specific conditions of Alberta the quasi-party system can perform in a reduced degree the functions of a regular party system, and is the only system that can do so.

The book is the fourth of a series sponsored by the Canadian Social Science Research Council dealing with the development of the Social Credit movement in Alberta. It is not of the same mood with much contemporary empirical research in the United States, and some readers less familiar with the scene than the author may view with surprise—and certainly will view with envy—the essential simplicity and confidence of his analysis. The theoretical scheme as well as the descriptive data in the volume will warrant the attention and the appreciation of all students of party government.—ALEXANDER HEARD, *University of North Carolina.*

Evolution of Provincial Autonomy in India, 1858 to 1950, with Special Reference to Uttar Pradesh. BY P. N. MASALDAN. (Bombay: Hind Kitabs Ltd. 1953. Pp. viii, 215. Rs. 10-0.)

The main feature of this competent contribution in the field of Indian constitutional history by Dr. Masaldan of Lucknow University is a concise and methodically-organized description of the institutions of provincial government erected by the Constitution of 1935. Emphasis is on mechanics rather than dynamics. However, there is a valuable survey of the operation of the system in Uttar Pradesh (the United Provinces), where a ministry composed of such notables as Pt. Pant, Dr. K. N. Katju, and Madame Pandit took office in 1937, in accordance with the controversial decision of the Congress party not to boycott the Constitution. The author concludes that, until the breakdown of the system over the issue of India's participation in the war, there was harmonious cooperation between the Ministry and the British-appointed Governor, and that the popular Assembly was able to produce "some very important and useful" legislation. A somewhat cursory "Postscript" describes the provisions relating to state government in the 1950 constitution, thus illuminating the great structural similarities between the old and the new systems and, hence, the firm continuity prevailing in the development of contemporary Indian political institutions.

One issue having great relevance for the actual viability of provincial autonomy is alluded to in a fascinating manner by Dr. Masaldan, but not pursued. He quotes without comment the judgment of the Simon Commission of 1927 that "an initial difficulty" in the formulation of a federal scheme for India arose from the fact that the existing territorial units were mere administrative areas rather than states "possessed of individuality and consciousness," and that "No one of them has been deliberately formed with a view to its suitability as a self-governing unit within a federated whole. . . . " The current intensity of agitation for reorganization of states on a linguistic basis testifies that this "initial difficulty" has been inherited as an urgent problem in free India.—GENE D. OVERSTREET, *Michigan State College.*

Russia: What Next? BY ISAAC DEUTSCHER. (New York: Oxford University Press. 1953. Pp. vii, 230. $3.00.)

In this, the third of his four books bearing on Soviet Russia, Mr. Deutscher has embarked on a journey into prophecy via the route of wishful thinking. His purpose is to inform us that "Stalinism" is dying and (from all appearances) is about to give way to a "democratic regeneration" instituted from above by Malenkov and his fellow future reformers.

Deutscher sees Stalinism as a blending of the Bolshevik Revolution with the barbaric, nationalistic, and despotic traditions of old Russia. This unhappy union emerged, in his opinion, because the failure of socialist revolutions abroad drove the Bolsheviks into a policy of national isolation—a development which threw them back upon the "barbarism" of the Russian environment and forced them to abandon proletarian democracy in favor of autocracy. Stalin succeeded to power because he more than anyone represented these new circumstances. ("The trend of the time found in Stalin its 'organ'.")

Stalinism, however, was bound to destroy the conditions necessary for its own self-perpetuation. By promoting technology, education, and economic planning, by socializing industry and collectivizing agriculture, and by other such "achievements" that remain "great and universal in the Russian Revolution," Stalinism has fashioned a new set of conditions that are out of joint with the despotism, the "primitive magic," and the national isolation upon which the regime has previously rested. The new generation, Malenkov among them, is aware of this disjunction and is in revolt against Stalinist "primitive magic." It is eager to introduce "rationalization" into all spheres of national life, and to achieve a national (and presumably democratic) political system. What Deutscher is saying, essentially, is that an advanced culture (technology plus Marxism) has been victorious over a backward culture (old Russia) with which it was compelled, for a time, to live. The victory of socialist "material conditions" has rendered the old habits of thought and government (the "superstructure") intolerable, and they will therefore disappear. Bolshevism will then return to the path of freedom from which it was temporarily deflected. The events following Stalin's death—the announced amnesty, the purges of the secret police, the reversal of the "doctors plot," the shifts in foreign policy—are all seen by Deutscher as confirmation that the revolt against Stalinism has already begun.

Like all Deutscher's writing, this book contains many brilliant and exciting passages, and scintillating prophecies that invite our admiration. Unfortunately, however, the argument upon which they rest is schematic and teleological, reflecting, in its logic, assumptions and formulas, long-standing Marxist intellectual habits. Thus, for example, the realities of political power in a totalitarian dictatorship are virtually passed over in favor of the threadbare Marxist notion that the "material conditions" will eventually determine the forms of politics and culture. One detects also a nostalgia toward the myths surrounding the Bolshevik Revolution and a reluctance to part with the belief that the initial promise of progress and salvation will somehow pay off in the end. By reason of these predilections Deutscher is led to invent doubtful distinctions between "Stalinism" and "Bolshevism" and to assign responsibility for Soviet despotism to *historical circumstance* rather than to the Bolshevik movement itself. The same predilections may also account for his disregard of the palpable fact that the Nazis managed to impose despotism and their own brand of "primitive magic" on a society that was technologically and culturally far more advanced than the USSR.

The value of the book is further reduced by the frequent inclusion of sweeping, unsupported, and questionable generalizations; by its habit of ascribing to speculations the validity of established fact; and by its tendency to account for extremely complex developments in the oversimplified language of the flashing poetic phrase.—HERBERT McCLOSKY, *University of Minnesota.*

Zaibatsu Dissolution in Japan. BY T. A. BISSON. (Berkeley and Los Angeles: University of California Press. 1954. Pp. xi, 314. $5.00.)

Mr. Bisson's book may be considered on two levels: the factual account of the implementation of American policy for the dissolution of the *zaibatsu* combines in Japan; and the value judgments that he places on what was done and what was not done.

With regard to the first, he has done a thorough piece of research based on the English language sources. The story is a technical one, but he tells it well, taking the reader step by step through the various stages of the dissolution problem. It is doubtful if much more could be added from the American sources available. It is equally doubtful if the Japanese sources will ever reveal many of the details of the other side of the question: Japanese reaction and countermeasures to the dissolution program. It is not the type of thing about which public records were kept.

When Mr. Bisson judges the dissolution program, he enters a controversial field, and the reader is not left in doubt as to where Mr. Bisson stands. He feels that American policy was unrealistic from either an economic or a political point of view. He states that the assumption that democracy in Japan should rest on the American concept of individualism was dangerous and quotes John Embree: " 'In the Japanese ideology individualism is a selfish sin.' " He argues that the nationalization of the *zaibatsu* combines would have been a logical policy. The Japanese railway and communications systems have long been nationalized. Nationalization, he says, would have preserved the advantages of large-scale operations and would have been based on collectivistic social patterns.

There are several good arguments against Mr. Bisson's thesis. On the one hand, would he, by the same criterion, throw out other parts of SCAP's program, such as the guarantees of the individual's freedom, because these could be labelled "un-Japanese"? On the other hand, if his thesis be granted that free enterprise was not for the Japanese, is there any guarantee that state ownership would be any more benevolent than *zaibatsu* ownership? Japanese history does not sustain him. Finally, are we not confusing political and sociological terms when we speak of nationalization based on collectivistic social patterns? It should be added, at once, that Mr. Bisson gives both the pros and cons in discussing controversial issues.

Mr. Bisson feels that the program of dissolution generally failed and that independent Japan will soon revert to the major features of the *zaibatsu* system. He is probably right, although it is slower in happening than he, in all probability, expected.

Nine appendixes containing documents, a selected bibliography, a good index, and charts of the organization of the Big Four *zaibatsu* enhance the value of the book.—PAUL S. DULL, *University of Oregon.*

Forteckning över statliga utredningar 1904–1945. BY RIKSDAGSBIBLIOTEKET. (Norrköping: Ostergötlands dagblads tryckeri. 1953. Pp. vi, 1405. Kr. 40.)

The Swedish Parliamentary Library has rendered a great service by preparing and publishing a bibliography of Swedish government commission of inquiry reports for the period 1904–1945. Two volumes by Erik Thyselius, printed in 1896 and 1904, had contained a detailed chronological list of the government commissions for the period 1809–1903. The present continuation of Thyselius, prepared by

Ivar Beskow and Anders Lindberger, is arranged first in large groups by the government departments to which they relate and then chronologically under the department. For each commission, there is usually a statement as to the membership and activities as well as to the content of the report, or reports, and whether printed in separate form, or as a parliamentary document, or in the series *Statens offentliga utredningar*, or elsewhere, or whether not printed and in that case where copy is located. The series *Statens offentliga utredningar*, in which most of the commission of inquiry reports are printed currently, began only with 1922. The present work includes a careful index to commission members with identification as to date of birth and death, a thirty-nine page chronological list (two columns to the page), and a subject index.—J.B.C.

Sveriges officiella statistik. Allmänna val. Riksdaesmannavalen, oren, 1949–1952. By Statistiska Centralbyran. (Stockholm: Kungl, Boktryckeriet P. A. Norstedt & Söner. 1953. Pp. 246.)

The statistical report on the elections to the Swedish Parliament, 1949–1952, reproduces the table of contents in English, gives translations of Swedish words occurring frequently in the tables, and has a one-page English summary.—J.B.C.

The Growth of Scandinavian Law. By Lester Bernhardt Orfield. (Philadelphia: University of Pennsylvania Press for Temple University Publications. 1953. Pp. xx, 363. $8.50.)

Mr. Orfield's book attempts to give the American reader an introduction to the general historical development and structure of the legal systems of Denmark, Iceland, Norway, and Sweden. The author's emphasis is on history, institutional structure, and public law. It is regrettable that the area of private law is almost entirely omitted, since material on it is least accessible to American scholars.

Kanchō kankō—butsu sōgō mokuroku. By Branch Libraries Division, National Diet Library. (Tokyo. 1952. Pp. 650. Yen 1400.)

For the period September, 1945 to December, 1950, the Branch Libraries Division of the National Diet Library at Tokyo has prepared with the help of the libraries in the various ministries and other agencies of the Japanese government a catalogue of Japanese official publications, arranged in the order of the Nippon decimal classification with an alphabetical agency index. Aside from the occasional titles in English, the work is entirely in Japanese. Vol. 2 (pp. 550, yen 1400), continuing the checklist for the years 1951–52, is being published in 1954. Many of the publications issued soon after World War II appeared only in very limited editions, and the locations are given for those of unusual scarcity. Beginning with January, 1927 and continuing through December, 1943, the Cabinet Printing Office published an extremely useful catalog of currently issued Japanese official publications, at first quarterly and then monthly. The period January, 1944 through August, 1945 apparently still remains to be covered.—J.B.C.

De ontwikkeling van het Minister-presidentschap. By Dr. E. van Raalte. (Leiden: Universitaire Pers. 1954. Pp. xi, 226.)

The development of the "primeministership" is studied beginning with the year 1917, the date of the author's thesis on the prime minister. He considers the situation in the Netherlands, Belgium, Great Britain, France, West Germany, Soviet Russia, and Ireland. Although the text of the study is in Dutch, there is an eight-page summary in English at the end.—J.B.C.

L'Evolution récente des institutions politiques dans les territoires d'Outre-Mer et territoires associés. By the Direction de la Documentation of the Présidence du Conseil and by the Direction des Affaires Politiques of the Ministére de la France d'Outre-Mer. (Paris: La Documentation Française. 1954. Pp. 40. Notes et études documentaires, no. 1, 847. 100 francs.)

In the preamble of the 1946 Constitution of France is the statement that "La France forme avec les peuples d'Outre-Mer une Union fondée sur l'égalite des droits et des devoirs, sans distinction de race ni de religion." The study begins with the recommendations of the Brazzaville Conference in 1944, mentions that Title VIII of the Constitution is devoted to the French Union, traces the extension of public rights and duties to the overseas and associated territories, outlines their participation in the central legislative bodies, and gives a statement of the democratic development in the territories themselves.—J.B.C.

Annuaire des États Associés: Cambodge—Laos—Vietnam. 1953. (Paris: Editions Diloutremer et Havas. 1953. Pp. 578.)

The first annual for the three associated states of Cambodia, Laos, and Vietnam, in Indo-China, includes for each a section on government and administration and a directory of the government.—J.B.C.

The Persian Gulf Gazette. Vol. 1, No. 1, Oct. 1, 1953. (Bahrain: Her Majesty's Political Resident in the Persian Gulf. 1953. 9d, or 8 annas a no. with supplements separately priced.)

The Gazette is published quarterly with "notices of appointments and of all Orders in Council, Regulations, Rules and other instruments affecting the exercise of Her Majesty's jurisdiction in Bahrain, Kuwait, Qatar, the trucial States and Muscat and Oman, and also notices of other matters of concern to persons subject to Her Majesty's jurisdiction in those states." Instruments of a legislative character are issued in supplements which can be purchased separately. A 260-page supplement to No. 1 contains the "Texts of Orders in Council, Regulations, Rules and Legislative Notices in force in Bahrain, Kuwait, Qatar and the trucial States on the 1st of October, 1953."—J.B.C.

Interpretación de la Historia de Sudamérica. BY ARTURO VILELA. (La Paz: Biblioteca Pacena, Alcaldia Municipal. 1953. Pp. 224.)

A general survey of political trends in the nine Spanish-speaking countries of South America, expanded from a Master's thesis written at Northwestern University in 1945. Although it offers little new substantive information, the last half of the book considers the political personality of the southern states and offers an interesting appraisal of the political process in Latin America by an informed native observer. It was published under the aegis of the municipal council of La Paz, Bolivia, as part of a program through which the revolutionary government of President Paz Estenssoro is seeking to make available the works of Bolivian writers of "revolutionary mentality" to encourage "civic virtue" in the masses. In this case at least the government seems to be willing to support a systematic study of politics rather than a blatant apology for the government in power.

Those Perplexing Argentines. BY JAMES BRUCE. (New York: Longmans, Green, & Co. 1953. Pp. xi, 362. $5.00.)

A very *simpático* study of Argentine characteristics by a former U.S. ambassador which should contribute to our understanding of the reasons for the Argentine attitude toward the U.S. and the faltering of democracy in that country.

Governments of Latin America. BY MIGUEL JORRÍN. (New York: D. Van Nostrand Co. 1953. Pp. xii, 385. $4.50.)

A textbook for college courses on Latin-American governments presenting the subject, not in the usual country-by-country fashion, but topically.

Handbook of Latin American Studies: 1949. EDITED BY FRANCISCO AGUILERA. (Gainesville: University of Florida Press. 1952. Pp. xii, 289. $7.00.)

A selective and annotated guide to material published in 1949 on anthropology, art, economics, education, geography, government, history, international relations, labor and social welfare, language and literature, law, music, philosophy, and sociology. Prepared by the Hispanic Foundation of the Library of Congress.

Latin American Politics and Government. BY AUSTIN F. MACDONALD. (New York: Thomas Y. Crowell Co. 1954. 2nd ed. Pp. viii, 712. $6.00.)

The second edition of this textbook on Latin-American governments (the first edition appeared in 1949) incorporates the changes brought about by several revolutions and the adoption of eight new constitutions. There is a new chapter on the relations of Latin America and the United States.

Bolivia: A Land Divided. BY HAROLD OSBORNE. (New York: Royal Institute of International Affairs. 1954. Pp. ix, 144. $2.50.)

Ecuador: Country of Contrasts. BY LILO LINKE. (New York: Royal Institute of International Affairs. 1954. Pp. ix, 173. $2.50.)

Paraguay: A Riverside Nation. BY GEORGE PENDLE. (New York: Royal Institute of International Affairs. 1954. Pp. vi, 115. $2.50.)

These three concise and informative volumes, latest in a series on Latin America (which also includes Brazil, Chile, Colombia, and Uruguay), cover geographical regions, historical aspects, transportation, agriculture, and comments on politics, social structure, and national economy.

Soviet Military Doctrine. By RAYMOND L. GARTHOFF. (Glencoe, Ill.: The Free Press. 1953. Pp. xviii, 587. $7.50.)

This book is the result of a research project undertaken by the RAND Corporation on behalf of the U.S. Air Force. It is a technical and extremely important work, being the first thorough analysis in English of the military doctrines of the USSR. The author has made extensive use of Soviet documents and other source materials, including interviews with former Russian and German officers. He deals competently with the background and development of Soviet principles of war, some of which are inheritances from the Imperial era, the relation of partisan forces to general military strategy, and the effect of the Marx-Lenin-Stalin philosophy on military planning. Of special significance is the discussion of the evolution of the attitude of the USSR High Command on the issue of the correct role of air power in modern war. The work is invaluable to students of military history and of contemporary strategic problems. The excellent documentation and bibliography add to the book's intrinsic value.

Imperial Communism. By ANTHONY T. BOUSCAREN. (Washington: Public Affairs Press. 1953. Pp. vii, 256. $3.75.)

A rather sketchy survey of Communist activity and policy in areas outside of the USSR. The author, now Professor at Marquette University, herds into the Communist fold many who would be surprised indeed to find themselves there, for example the members of the Fabian Society in England, Leon Jouhaux in France, and certain of the former Spanish Republican leaders now in exile. The book's chief value lies in the authors exposé of the tactical nature of Soviet actions.

The Men Who Ruled India: The Founders of Modern India. By PHILIP WOODRUFF. (New York: St. Martin's Press. 1954. Pp. 402. $5.00.)

The first of two volumes (the second to be titled "The Guardians") describing the successive stages of European penetration and rule of India, written about the major personalities of each stage. This volume spans the period 1600 to 1858.

Naissance de Nouvelles Démocraties: Introduction et développement des institutions parlementaires dans les pays de l'Asie du Sud et dans les territoires coloniaux. By SIDNEY D. BAILEY. (Paris: Librairie Armand Colin. 1953. Pp. xiii, 200. 650 Fr.)

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INTERNATIONAL LAW AND RELATIONS

Stresemann and the Revision of Versailles: A Fight for Reason. By Henry L. Bretton. (Stanford: Stanford University Press. 1953. Pp. xii, 199. $3.00.)

This is a valuable addition to the scholarly literature dealing with German foreign policy during the 1920's. It covers the efforts of that outstanding German statesman, Gustav Stresemann, to overcome the major restrictions of the Versailles Treaty and to win a position of equality for his country through diplomacy and reason rather than through military power.

The author has based his study on extensive original documentary sources, and has produced a more comprehensive and integrated account of Stresemann's foreign policy than has hitherto been available.

Stresemann assumed responsibility for German foreign policy in 1923 at the height of the Ruhr occupation when the obstacles to the regaining of any German influence in Europe seemed insurmountable. During the next six years, he demonstrated that even a country stripped of its military power could by skillful diplomacy achieve a number of its major foreign policy objectives, such as the evacuation of the Ruhr, the modification of the reparations schedule, the conclusion of the Locarno Treaties, the admission of Germany to the League of Nations, and the ultimate withdrawal of Allied forces from the German Rhineland five years ahead of schedule.

Stresemann's diplomatic strategy was based on methods which seem amazingly familiar today: (1) taking advantage of the disunity among the Western powers to weaken the strict enforcement of the Versailles treaty; (2) exploiting the general fear of Communist influence in Europe to gain concessions for Germany; and (3) arguing that Germany's economic value to Europe as a whole was too great to justify any policies which would lead to German economic disintegration. In the revival of Western Germany in recent years, Konrad Adenauer seems to have taken several pages out of Stresemann's book.

The author not only discusses Stresemann's international negotiations, but also emphasizes how skillfully the German statesman as a parliamentary leader dealt with the domestic opposition to his methods. For six years, he made himself virtually indispensable to the various government coalitions of Weimar Germany, countering the opposition of the German nationalists to his policies of conciliation, but utilizing the effect of their political pressure to persuade the Allies of the wisdom of making concessions to his weakened country. He was admittedly opportunistic many times, and often illustrated the belief that politics was the art of the possible.

This period of the mid-1920's, which illustrated the successes of policies of rapprochement, merits careful study at the present time when diplomatic negotiations are not often regarded with much approval. Stresemann, bargaining from weakness, achieved much for his country. Modern statesmen, bargaining from strength, might well emulate his techniques of winning concessions abroad and countering nationalistic opposition at home.—Elton Atwater, *Pennsylvania State University.*

Problems of Stability and Progress in International Relations. BY QUINCY WRIGHT. (Berkeley and Los Angeles: University of California Press. 1954. Pp. xiv, 378. $5.00.)

For many years Professor Quincy Wright has been one of the leading American authorities on political science, international law, international relations, and related subjects. Articles, reviews, reports, and books, including the monumental two-volume *A Study of War*, have flowed from his prolific pen. The present volume contains twenty-one essays, written between 1946 and 1952. All but three have been published previously. Two of the unpublished essays, dealing with problems of institutionalizing international peace and security, were first delivered as lectures at the University of California (Berkeley) in May, 1952, on the occasion of the retirement of Professor Hans Kelsen.

The essays offer much food for thought for the general reader; but the style and content indicate that they were written primarily for the professional student of international affairs. They are full of shrewd, sane, informed comments on such topics as the balance of power, collective security, public opinion, international tensions, trends in world organization, the role of the United Nations, possibilities of international negotiations, new trends in international law, problems of war and peace, the atomic bomb and world politics, education and international stability.

Professor Wright defines with great precision the fundamental dilemmas of international relations in a world in which "conditions and opinions are out of harmony" and in which statesmen can neither organize a stable balance of power nor rely on law for security. "During the period immediately ahead," he believes, "diplomats must utilize the methods of power politics, which alone can be successful in preventing universal conquest so long as opinions remain dominantly national." In 1947 he stated that "the alternatives before the world are universal empire or universal federation"; but he holds that the former can be prevented and that the latter is premature. Indeed, in 1951 he cautioned that "any major reconstruction of the world order . . . should be conceived only as a long-run goal." His hope for the immediate future rests in the reduction of international tensions by skillful negotiations and in the evolution of a more complex balance of power. Ultimately he puts his faith in changes in world public opinion and in the development of "a system of states organized by effective law."—NORMAN D. PALMER, *University of Pennsylvania.*

A Short History of International Organization. BY GERARD J. MANGONE. (New York: McGraw-Hill Book Co. 1954. Pp. ix, 326. $5.00.)

Teachers who in the past have had to refer students interested in the history of international organization either to brief chapters in general texts or else to unmanageable quantities of detailed documentation or specialized readings will be grateful to Gerard Mangone for this impressive and compact work. Moving in 326 pages from ancient Sumer to the United Nations and even venturing a look into the future, he has written as fine a history of international organization as can be written in so short a space.

Mr. Mangone, faced with a nearly impossible task of condensation, exhibits a fine sense of proportion by transporting us away from 2850 B.C. with jet-like speed so that we arrive at the signing of the Treaty of Westphalia within eight pages, and after another eight pages of text, at the Congress of Vienna. Successive chapters deal with "The Age of Consultation" (1814–1914), the development of international law, the rise of regional international organizations, and the future of international law and organization. There are two chapters on international administration, one covering nineteenth-century developments, and the other the work of the specialized agencies; and there are two chapters on the "periods of collaboration," namely, the days of the League of Nations and the United Nations.

Documentary appendices follow nearly all chapters. The author has prepared them with intelligence, and they enhance the value of the textual material. Thus a 23-page treatment of the development of international law can itself develop into an enriching experience if students consider such materials as excerpts from Grotius' *De jure belli ac pacis* and selections from the legal opinions on *La Jeune Eugénie* and *The Antelope.*

The excellent bibliographical references and notes will lead students easily to more information on their favorite subjects. This guidance is especially helpful because of the necessarily brief treatment many important questions receive; e.g., the work allows two pages for the League Secretariat, five for its modern counterpart, a little over one paragraph for technical assistance, and no space whatever to the role in the U.N. of nongovernmental organizations.

Within the limits imposed on him, Mr. Mangone has acquitted himself admirably, and it will be an even happier day when his publishers allow him to write a more comprehensive history.—Richard N. Swift, *New York University.*

Foundations of the World Republic. By G. A. Borgese. (Chicago: The University of Chicago Press. 1953. Pp. xi, 328. $6.50.)

An eloquent, occasionally witty, occasionally moving argument, opening with the charge that "The era of humanity has not begun, but the age of nations has ended." Peace, Power, and Justice are the three concepts around which these essays are built. Before his death the author was secretary-general of the Committee to Frame a World Constitution at the University of Chicago.

Empire by Mandate: A History of the Relations of Great Britain with the Permanent Mandates Commission of the League of Nations. By Campbell L. Upthegrove. (New York: Bookman Associates. 1954. Pp. 239. $3.50.)

This is primarily a history of Britain's management of her League mandates, but the author goes on to argue that the mandate principles were drawn largely from the tenets of British colonial policy and that they today offer a method for the solution of the vast problems of colonial nationalism.

Survey of International Affairs, 1951. By Peter Calvocoressi. Assisted by Konstanze Isepp. (New York: Oxford University Press. 1954. Pp. viii, 505. $10.50.)

The Royal Institute's annual volume provides a handy, well-written commentary, based primarily on newspaper sources and such official documents as governments have made available to contemporary historians. The Persian oil dispute is considered at length, a section by George Kirk explores the growing Anglo-Egyptian controversy, and F. C. Jones contributes the chapters on China and Japan.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. I: General; The British Commonwealth. (Washington: U. S. Government Printing Office. 1953. Pp. lxxvi, 892. $4.25.)

Illusory hopes for arms limitations are still pursued in the concluding sessions of the Geneva Armaments Conference and the London Naval Conference; correspondence on both war debts and international economic cooperation is voluminous; and the British Commonwealth relations center on trade, tariffs, and other commercial matters.

Foreign Relations of the United States: Diplomatic Papers, 1936. Vol. III: The Near East and Africa. (Washington: U. S. Government Printing Office. 1953. Pp. lxi, 542. $3.00.)

A volume devoted almost solely to the Ethiopian-Italian war, and the accompanying problems of League action, U. S. neutrality, and recognition.

Advance to Barbarism: How the Reversion to Barbarism in Warfare and War-Trials Menaces Our Futures. By F. J. P. Veale. (Appleton, Wis.: C. C. Nelson Publishing Co. 1953. Pp. xvii, 305.)

A reissue of the English edition published in 1948. The author denies both the legal and moral foundations of the Nuremberg and Tokyo trials and predicts that their result—far from deterring aggressors in the future—will result only in the waging of war to the bitter end since defeat can lead only to the gallows. The book is also an indictment of modern total war.

The Origins of the War of 1914. Volume II: The Crisis of July 1914. From the Sarajevo Outrage to the Austro-Hungarian General Mobilization. Edited and Translated by Luigi Albertini. (London, New York, Toronto: Oxford University Press. 1953. Pp. xvi, 727. $11.00.)

An Italian history, heavily documented and with excellent index, covering in detail a familiar and tragic period.

Hungarian Premier: A Personal Account of a Nation's Struggle in the Second World War. By Nicholas Kállay. With a foreword by C. A. Macartney. (New York: Columbia University Press. 1954. Pp. xxxvii, 518. $6.00.)

The personal memoirs of a man who had served as Prime Minister of Hungary in the fateful years 1942–1944; an important contribution to the study of the political developments in and around Hungary and of the Hungarian foreign policy of the period, though replete with attempts by the author to defend his policies.

The Century of Total War. By Raymond Aron. (New York: Doubleday & Co. 1954. Pp. 379. $5.00.)

An astute journalist gives the current international struggle its historical setting, disposes of much of the ideological confusion, pays special attention to the changes in and the role of Western Europe, and chooses continued "cold" or "limited" war as the only acceptable choice between capitulation and a third World War.

South Africa in a Changing World. By Edgar H. Brookes. (New York: Oxford University Press. 1954. Pp. 151. $3.00.)

A thoughtful but rather loosely organized series of lectures on some of South Africa's problems, including her membership in the Commonwealth and her relations with India and the United States.

A History of the School of International Affairs and Associated Area Institutes, Columbia University. By L. Gray Cowan. (New York: Columbia University Press. 1954. Pp. vi, 105. $2.25.)

This little summary records the prompt response of Columbia University to new needs for international and regional studies and describes the programs of education and research which have been developed.

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H. ARTHUR STEINER[*]

University of California (Los Angeles)

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POLITICAL THEORY, RESEARCH, AND METHODOLOGY

La Pensée Politique et Constitutionelle de Montesquieu: Bicentenaire de L'Esprit des Lois, 1748–1948. A Symposium. (Paris: Sirey. 1952. Pp. 328.)

The title of this symposium, held by the Comparative Law Institute of the University of Paris in celebration of the bicentennial of Montesquieu's main work, is actually somewhat misleading. It covers not only Montesquieu's political and constitutional ideas but the whole wide range of thought of this universal genius. In addition to acknowledgements of his achievement as a systematic political scientist, the volume includes encomiums of his contributions to the humanities, philosophy of history, and the social sciences (Comte himself paid him the tribute of being "le précurseur de la sociologie").

For obvious reasons, his constitutional thought, especially the doctrine of the separation of powers, is at the center of the symposium both in organization and emphasis, and it is here that the volume makes its major contribution. In a lucid essay, M. Eisenmann dispels some of the misinterpretations which twentieth-century jurisprudence has injected into the doctrine. In spite of Montesquieu's deductive method, it would surely have been strange if this astute observer had been so oblivious of political realities as to suggest the complete isolation of the three basic governmental powers in water-tight compartments. Such an isolation would have prevented the very balancing process which provided the rationale for the separation. A more plausible view is that inherent in the political interpretation prevalent in the nineteenth century, which in essence emphasized Montesquieu's intent of supplementing the separation with a system of checks and balances. The two essentials of the doctrine, as M. Eisenmann sees it, consist of a prohibition against relegating two of the three governmental powers to one and the same organ (which does not exclude participation by one organ in the power of another) and against *identity* in the social composition of two or more branches of the government. In this constitutional method, which is to serve the central purpose of insuring the security of the citizen against arbitrary action of the sovereign power, social balance plays as important a part as the juristic separation of the powers of the government.

A frequently-voiced criticism of Montesquieu, which stands in urgent need of correction, has reference to his alleged misunderstanding of the British Constitution. In his introductory essay, M. Mirkine-Guetzévitch demonstrates the strictly utopian rôle which British institutions were to play in this context. Montesquieu selected Great Britain for the part, in spite of the considerable discrepancies between his doctrine and British actuality, because of the relatively high degree of liberty which it had attained.

By their very nature symposia of this type can lay claim neither to much originality nor to critical thought. This volume is no exception. Most of the information is known. Nevertheless, the Comparative Law Institute has been eminently successful in producing a useful book by drawing together up-to-date interpretations of Montesquieu's thought, including at the same time discussions of its historical antecedents as well as of its influence on European and American political thinking.
—Peter J. Fliess, *Louisiana State University.*

La Politique des États et leur Géographie. By Jean Gottmann. (Paris: Librairie Armand Colin. 1952. Pp. xi, 228.)

Gottmann follows the rational French school, headed by Paul Vidal de la Blanche, in taking political geography out of the realm of simple determinism. In Gottmann's thinking, politics and geography are completely intertwined. Relief, frontiers, population, resources, all play their roles; but the changing symbolism and organization of politics are as significant to a total pattern of interrelationships as are the more stable physical features of the globe.

Diversified compartmentalization of the world—which is both social and physical—is basic to varied political phenomena and to the tensions of international relations. Political compartments, beginning as trading cities and finally developing into states, occur at the points of interchange in commodities, people, and ideas. These points are generally set at the natural sites where men must delay their travels, meet with each other, and exchange their material and spiritual goods. In course of time, symbolism, organization, and a sense of political cohesion evolve and form the basis for the state.

It may be thought that the stabilizing influence of an emerging symbolism would conflict with the enriching effects of continued interchange. The two actually supplement each other, and are both needed if the state is to develop fully.

The thinking of the French school can be valuable to the American political geographer as an antidote to conceptions of physical determinism; and to the American political scientist as a reminder that politics are intermixed with the features of the physical world. —James L. Busey, *University of Colorado.*

Political Thought in England: Tyndale to Hooker. By Christopher Morris. (New York: Oxford University Press. 1953. Pp. x, 220. $2.00.)

This little volume covers roughly the period between the appearance of Tyndale's *The Obedience of a Christian Man* in 1528 to the end of the 16th century and more particularly the publication of Hooker's *Laws of Ecclesiastical Polity.* The material discussed during this period constitutes naturally an indispensable introduction to the study of the Stuart period and the Puritan Revolution. Mr. Morris is primarily concerned with a careful exposition of the most significant pamphlets and tracts of the Tudor period rather than with an overall analysis and evaluation of the character and the relevance of the political speculation he covers. He discusses the bearing of the classic and feudal past upon the thought of the 16th century writers and pamphleteers; the mixture of theological and utilitarian considerations in the literature defending the King's prerogative and advocating the duty of obedience; and the religious, political, and philosophic assumptions of the Elizabethan period. But probably the most interesting parts of the book are the analysis of Shakespeare's political views and attitudes, and the concluding chapters on the Catholic and Protestant positions respectively and the synthesis attempted by Richard Hooker in the closing years of the century. A detailed bibliography of the source material of the time as well as of secondary literature adds to the value of the book.—Roy C. Macridis, *Northwestern University.*

Les Socialismes Français et Allemand et le Problème de la Guerre: 1870–1914. By Milorad M. Drachkovitch. (Geneva: Librairie E. Droz. 1953. Pp. xii, 385.)

The scope of this work is broader than its title indicates. While the relation of German and French Socialism to the problem of war forms the focus of discussion, the author proceeds further into a critical analysis of the causes of the basic divergencies of the socialist movement in the two countries. M. Drachkovitch feels that despite the official unity of the Marxist front on the question of war and imperialism, as expressed by the successive resolutions of the Second International, there always existed a deep and fundamental cleavage in outlook and theory between the French and German Socialist parties. This divergency was never reconciled and grew from the basic antagonisms exemplified by the Proudonist, syndicalist foundation of French socialism *vis a vis* the stoutly orthodox Marxism of German Social Democracy. The fact that this divergency was merely covered over by the official pronouncements of the International accounts for the collapse of that organization in 1914. Thus the failure of the International to prevent or stop World War I, and the inability of the various socialist parties to overcome social patriotism by proletarian internationalism, illustrate the lack of meaning which the formalized thesis and resolutions of the International had for the rank and file of the workers. The book supplements and deepens the analysis presented by Professor Fainsod in his *International Socialism and the World War.*

Gettell's History of Political Thought. By Lawrence C. Wanlass. (New York: Appleton-Century-Crofts, Inc. 1953. 2nd ed. Pp. xii, 418. $5.00.)

This new edition of Gettell's well known *History of Political Thought* by Professor Wanlass has left the original work substantially unchanged. There has been some revision of the section on the Middle Ages and new material has been added to the concluding sections on Liberalism, Fascism and Communism, but the basic late nineteenth-century approach of Gettell still dominates the work.

Freedom, Loyalty, Dissent. BY HENRY STEELE COMMAGER. (New York: Oxford University Press. 1954. Pp. ix, 155. $2.50.)

Five short essays on "The Necessity of Freedom," "The Necessity of Experimentation," "Free Enterprise in Ideas," "Guilt by Association," and "Who is Loyal to America."

Le Syndicalisme en France. BY GEORGES LEFRANC. (Paris: Presses Universitaires de France. 1953. Pp. 125.)

In this brief work Georges Lefranc summarizes the history of syndicalism in France from 1895 to 1950. It is, therefore, a companion book to his earlier *Le Syndicalisme dans le Monde,* published in the same series as the present work in 1949. Like the earlier work, it constitutes a short but accurate reference for one already acquainted in the field and at the same time a convenient starting point for the beginner.

Robert Owen of New Lanark. BY MARGARET COLE. (New York: Oxford University Press. 1953. Pp. vi, 231. $3.50.)

Margaret Cole here presents a succinct and pleasantly written life of the most successful of the nineteenth-century English social reformers. Mrs. Cole treats her subject with gentle understanding and has called upon her extensive knowledge of the British reform movement to give us a definitive account of the life, deeds, and significance of Robert Owen. Of particular interest is her tracing of the modern application of many of Owen's "utopian" ideas, thus underscoring his continuing influence in the twentieth century.

Brownson on Democracy and the Trend toward Socialism. BY LAWRENCE ROEMER. (New York: Philosophical Library. 1953. Pp. xvi, 173. $3.75.)

Born in New England and reared in the Calvinist tradition, Orestes A. Brownson was converted to Roman Catholicism at the age of forty-one. As a writer and journalist he gained considerable reputation in England and America as a staunch defender of the more extreme Roman Catholic position. In this book Mr. Roemer has collected from Brownson's voluminous writings those dealing with the problems of democracy and socialism and has combined them into a useful summation of Brownson's political views. The book is of value to students of social movements and especially to those interested in the problem of church and state.

Julius Bahnsen; Eine Untersuchung zur Vorgeschichte der modernen Existenz. BY HEINZ-JOACHIM HEYDORN. (Göttingen-Frankfurt a.M.: Verlag "Öffentliches Leben" G.m.b.H. 1952. Pp. 287.)

This volume is an attempt to rescue from oblivion the contribution of a non-Marxian Hegelian of the left to the intellectual history of the nineteenth century. The author gives a brief summary of biographical data and then analyzes systematically Bahnsen's philosophy. Of particular interest for the political scientist are the chapters on "Will and History," "State and Society," and "The Dialectics of Law." The study has considerable interest for contemporary scholars because of Bahnsen's penetrating insights into the dangers lurking in the optimistic assumptions of liberalism and the origins of the contemporary crisis of civilization.

Les Idées Politiques et Sociales de la Résistance (Documents Clandestins—1940–1944). TEXTS CHOSEN AND INTRODUCTIONS BY HENRI MICHEL AND BORIS MIRKINE-GUETZÉVITCH. (Paris: Presses Universitaires de France. 1954. Pp. xi, 410.)

Having ably described, in their respective introductory chapters, in what ways and through what channels the political thought of the French resistance grew and found expression during World War II (Michel) and having summarized its main problems and trends (Mirkine-Guetzévich), the co-authors offer a selection of various wartime documents, such as articles of underground newspapers, speeches by French leaders abroad, and political declarations of various French political groups. The documents are arranged according to major topics.

Theory and Method in the Social Sciences. BY ARNOLD M. ROSE. (Minneapolis: The University of Minnesota Press. 1954. Pp. xii, 351. $5.00.)

A collection of essays, some of which have been published before, offered for the purpose of encouraging "research in sociology along certain neglected channels and with certain relatively neglected research tools." Some of the chapters will be of interest to political scientists.

Relation of the State to Industrial Action and Economics and Jurisprudence. BY HENRY CARTER ADAMS. EDITED BY JOSEPH DORFMAN. (New York: Columbia University Press. 1954. Pp. viii, 182. $3.00.)

A reprint of two late-nineteenth-century essays by an American economist, with an introduction on the author's career and ideas by the editor.

SELECTED ARTICLES AND DOCUMENTS ON
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FRANCIS G. WILSON
University of Illinois

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NEWS AND NOTES

PROFESSIONAL CONFERENCES

Problems related to the organization and administration of public enterprises have become of central importance to the economic development and political stability of most of the countries served by the United Nations Economic Commission for Asia and the Far East. These problems also present an important challenge to the educational institutions of that region as they relate to the training of personnel for both public and private administration and management positions. To the governments and people of the countries outside the ECAFE region and particularly to students of government, the problems faced by the ECAFE countries hold special interest, not only because of their significance for the welfare of the countries themselves and to the political stability of the world, but also because so many of the problems have been the subject of study and debate in most Western countries.

The first detailed discussion of these problems on a regional basis took place at a seminar held in Rangoon, March 15–26, 1954, on the subject, "The Organization and Administration of Public Industrial Enterprises." It was sponsored by the United Nations (Technical Assistance Administration and ECAFE) and the International Institute of Administrative Sciences (Brussels). The agenda of the seminar included the following items: trends in the development of public enterprises in the ECAFE region; types of organizations suitable for public industrial undertakings; organization relationships within the governmental structure; financing of public enterprises; commercial aspects of public enterprises; problems of internal administration; and public understanding.

Participants came from the governments of Burma, Cambodia, Ceylon, China, France, ndia, Japan, Pakistan, Philippines, and the United Kingdom, and observers came from srael and the USSR. Consultants on organizational and administrative problems of public enterprises included T. E. Chester, Acton Society Trust (United Kingdom); Louis Closon, Institut National de la Statistique et des Études Economiques (France); T. Benson Gyles, United Nations Expert at Sindri Fertilizer Project (India); W. Friedmann, University of Toronto (Canada); T. H. Kewley, University of Sydney (Australia); Orhan Mersinli, Assistant General Director of Highways (Turkey); Bertil Olters, Regional Director of Royal Swedish Telecommunications Board (Sweden); and Harold Seidman, Government Corporation Specialist, Bureau of the Budget (U.S.). In addition, the UNTAA made available the services of Mr. G. W. Cadbury and Mr. F. J. Tickner. Walter H. C. Laves served as secretary general for the seminar and was responsible both for its preparations, including documentation and the selection of consultants, and for the management of the seminar itself.

The seminar had special significance because of the long preparation which began with work by the ECAFE Secretariat under the direction of U Nyun, Chief of the Industry Division, and a series of meetings of the ECAFE Committee on Industry and Trade. Subsequently, conversations were held with most of the governments in the ECAFE region to determine the precise nature of interest and to agree upon an agenda. Documentation was secured from a large number of countries, both in Asia and in the Western world.

The United Nations plans to issue a volume based on the basic discussion papers revised in the light of the seminar discussion, and it is hoped to make arrangements for the publication of the best among the fifty or more information memoranda dealing with the experiences of some two dozen Western countries on problems in the organization and administration of public enterprises.—WALTER H. C. LAVES.

The American University of Beirut sponsored the first all-Arab conference on public administration, which was held on the university campus, July 30–August 1, 1954. Leading career government officials and professors of political science from the Arab states attended.

The Twelfth Annual Meeting of the Midwest Conference of Political Scientists was held April 29–May 1, 1954, at the State University of Iowa with an attendance of 218 persons. Mr. Allan B. Kline, President of the American Farm Bureau Federation, gave the address at the opening general session. John Gange, Executive Director of the American

Political Science Association, spoke at the Friday luncheon on "Prospects for Political Science." Also at the luncheon Professor William Anderson presented a progress report on the work of the Commission on Intergovernmental Relations, and Professor James K. Pollock reported on the activities and status of the International Political Science Association. The topic for the general session on May 1 was "The Bricker Amendment." This issue was debated by Iowa State Senator D. C. Nolan and Professor Glendon A. Schubert, Jr. of Michigan State College.

Round-table discussions were held on the following topics: "The New Conservatism in American Political Thought," "Emerging Political Issues in the Midwest," "Legislative Reapportionment in the Midwest States," "Foreign Views of American Foreign Policy," and "The Crosskey Interpretation of the Constitution." Professor Crosskey acted in the capacity of discussant for the round-table discussion of his work.

The officers of the Conference for 1954–55 are: Asher N. Christensen, the University of Minnesota, president; Edward H. Buehrig, Indiana University, vice-president; A. LeRoy Bennett, Michigan State College, secretary-treasurer. Two newly elected members of the Executive Council are Royden Dangerfield, University of Illinois, and Vernon Van Dyke, State University of Iowa. The 1955 meeting of the conference will be held at Purdue University on May 5–7.—A. LeRoy Bennett.

The Western Political Science Association held a joint meeting with the Pacific Northwest Political Science Association, April 9–10, 1954, on the campus of Oregon State College, Corvallis, Oregon. The following officers were elected for next year: president, Herman Trachsel, University of Wyoming; vice-president, Curtis W. Martin, University of Colorado; council members, Frank Jonas, University of Utah (one-year term); William Gore, University of Washington; Ivan Hinderaker, University of California (Los Angeles); and Dwight Waldo, University of California (Berkeley). Allan R. Richards, University of New Mexico, will continue as secretary-treasurer. The association will hold its 1955 annual meeting in Boulder, Colorado, one day before the annual meeting of the American Political Science Association.—Allan R. Richards.

The Northern California Political Science Association held its annual meeting on May 8, at the College of San Mateo. Papers were delivered and discussions held on "Persistent Issues in American Foreign Policy," "Executive-Legislative Relations in the Conduct of Foreign Affairs," "Civil Rights Issues Today," and "Water Resources Development in California." Professor Claudius O. Johnson of Washington State College addressed the luncheon on "The State of Victoria Investigates Communism." Officers elected for 1954–1955 were: president, John M. Selig, City College of San Francisco; vice-president, Thomas S. Barclay, Stanford University; and secretary-treasurer, Robert C. McKenzie, University of San Francisco. The following were designated members of the Council: Joseph P. Harris, University of California; Richard J. Roberts, University of Santa Clara; Joseph Rupley, Safeway Stores; Charles Lohmyer, San Francisco Naval Shipyard; Philip W. Buck, Stanford University; John McLaughlin, California State Personnel Board; and Earl Campbell, San Jose State College.—John M. Selig.

The annual meeting of the Social Science Section of the Ohio College Association was held at the Ohio State University in Columbus, Friday and Saturday, April 9 and 10, 1954. Political scientists and economists from the faculties of Ohio universities and colleges comprise the group. Of the sixty-four in attendance, thirty-three were political scientists from fifteen institutions.

The program for the Friday afternoon session included a paper on "The Bricker Amendment" by Alfred Hotz, Western Reserve University, and one on "European Union" by Daniel Wit, Cincinnati. The evening meeting was addressed by John A. Skipton, director of the newly established Ohio Legislative Service Commission. At a joint dinner on Friday, Willard H. Ellsbree, Ohio University, presented some of his experiences as a member of the United Nations Economic and Social Council during the previous summer. The Saturday morning program was devoted to local topics. Harvey Walker, Ohio State, discussed "Metropolitan Fringe Problems," and Roland Gregg, Toledo Municipal League, presented "An Approach to the Metropolitan Problem." The joint luncheon on Saturday was addressed by R. S. Milne, Bristol, England, currently at Ohio State, on "National Economic Planning in Great Britain."

The officers elected for the year 1954–55 are: president, Donovan Emch, political science, Toledo University; vice-president, Vant Kebker, economics, Ohio Wesleyan University; secretary-treasurer, Mona Fletcher, political science, Kent State University.—MONA FLETCHER.

The William E. Borah Foundation Conference on the Causes of War and the Conditions of Peace, sponsored jointly this year by the Foundation and the Pacific Northwest Conference on Higher Education, was held at the University of Idaho, March 18 and 19, 1954. The Conference theme, "Man's Right to Knowledge and the Free Use Thereof," was adopted in cooperation with Columbia University's bicentennial program. The principal speakers and their subjects were as follows: Thurgood Marshall, Director-Counsel for the National Association for the Advancement of the Colored People—"Race and Caste Distinction: Effective Barriers to Education and Democracy"; Dr. John A. Krout, Vice-President of Columbia University—"Higher Education and Man's Right to Knowledge and the Free Use Thereof"; Dr. Paul F. Lazarsfeld, professor of sociology at Columbia University —"Mass Media and Modern Society"; and Dr. Ursula M. Niebuhr, head of the department of religion, Barnard College—"Men's Freedom under God."

Following these major addresses, a total of nine public forums dealing with related subjects were held. Over 200 students, faculty members, and visitors traveled from institutions of higher learning throughout Montana, Utah, Oregon, California, and Idaho to participate in the conference. Approximately 1200 people were in regular attendence at the forums.—BOYD A. MARTIN.

United Nations Charter review was the subject of a two-day institute co-sponsored by the Minnesota World Affairs Center and the Center for Continuation Study of the University of Minnesota on April 9 and 10, 1954. A number of Minnesota citizens, assisted by resource persons from area colleges and universities (Carleton, Hamline, Macalester, St. Thomas, and Minnesota), prepared advance working papers for the four discussion groups. Security arrangements, membership questions, domestic jurisdiction, and regional arrangements were the major topics discussed. The points of view expressed by the nearly 200 persons in attendance revolved around the central question, "Should the United Nations Charter be revised, or is it the best that can be achieved at the present time?"

Faculty members who led the discussions included: Pierce Butler, Jr., attorney, St. Paul; Lawrence S. Finkelstein, Carnegie Endowment for International Peace; Reginald Lang, professor of government and international relations, Carleton College; Werner Levi, professor of political science, University of Minnesota; Linden A. Mander, professor of political science, University of Washington; Charles McLaughlin, associate professor of political science, University of Minnesota; Hans J. Morgenthau, professor of political science, University of Chicago; and Richard W. Van Wagenen, director of the Center for Research on World Political Institutions and associate professor of politics, Princeton University.

David W. Wainhouse, Deputy Assistant Secretary of State for United Nations Affairs, gave the concluding address of the Institute, speaking on "The United States and Charter Review." Mr. Wainhouse was introduced by Dr. Charles Mayo, new president of the American Association for the United Nations. William C. Rogers, Director of the World Affairs Center, was general chairman for the Institute.—WILLIAM C. ROGERS.

The Pennsylvania State University held its Third Institute on World Affairs and International Cooperation as part of the main summer session from June 28 to August 7, 1954. The theme of the institute was "The American Impact Abroad: Its Effect on International Cooperation and Understanding." A course in international understanding was taught again by Dr. Richard H. Heindel, Dean of the College of Arts and Science, University of Buffalo, and until recently Deputy Director of the UNESCO Relations Staff of the U.S. Department of State. Weekly lectures by distinguished authorities in world affairs were another feature of the institute. The speakers were: Everett R. Clinchy, President of the National Conference of Christians and Jews; Elmo C. Wilson, President of International Research Associates; Thomas J. Watson, Jr., President of International Business Machines Corporation; Willard W. Beatty, until recently Deputy Director of the Department of Education of UNESCO; and Milton S. Eisenhower, President of the Pennsylvania State University. Weekly round-table discussions together with the showing of special documentary and educational films on world problems made up the remainder of the institute program. Elton Atwater, associate professor of political science at the Pennsylvania State

University, was the general coordinator of the institute activities.

To bridge the gap between theory and practice in politics, the Ninth Annual Summer Forum in State and Local Government in Michigan was offered for graduate and undergraduate credit by the departments of secondary education and political science at Michigan State College, July 6–23, 1954. Sponsoring or cooperating groups for the forum included the Department of Public Instruction, the Michigan Institute of Local Government, the Michigan Municipal League, the Michigan Citizenship Clearing House, as well as Michigan's leading colleges and universities.

One hundred and twenty-five of Michigan's political and academic leaders served on panels to discuss current governmental affairs in Michigan. Topics discussed at the forum included: "Are states' rights threatened by the developments of the last two decades?" "What is being done to solve the 'fringe' area problems?" "Do we need to broaden the base of participation and financing of our political parties?" "How adequately is Michigan meeting the needs of education at the primary, secondary, and higher education levels?" "What is the role being played by the President's and Governor's Commissions on Intergovernmental Relations?" A special feature of the forum this summer was the participation of state, national, and local officials of the two national parties and interest groups to discuss party organization, nominations, elections, and lobbying in the afternoon sessions.

The first year of the Curriculum Development Project of the Northwestern University Political Science Department culminated with a conference on "A Search for the Relevant Political Concepts," which met for five days, June 15–19, 1954. Seven essays were prepared and distributed prior to the conference to persons attending. They were: "Power as a Political Concept," by Hans Morgenthau, University of Chicago; "A Decision-Making Approach to the Study of Political Phenomena," by Richard C. Snyder, Princeton University; "Some Aspects of Structural-Functional Analyses and Political Science," by Marion Levy, Princeton University; "Values in the Political Science Curriculum," by Dwight Waldo, University of California (Berkeley); "The Problem of Political Ideas," by Louis Hartz, Harvard University; "The Group in Political Science," by Charles B. Hagan, University of Illinois; and "The Rol of Public Law in Political Science," by Foste H. Sherwood, University of California (Lo Angeles). Other persons attending the conference included: David Apter, Princeton University; Sidney Baldwin, Wesleyan University; Robert Dahl, Yale University; Willmoor Kendall, Yale University; Norton Long Western Reserve University; Herbert McClosky, University of Minnesota; Paul W Nitze, U.S. Department of State; E. E Schattschneider, Wesleyan University; an David Spitz, Ohio State University.

Political scientists who served as consultant to the Northwestern University Curriculun Development Project during the year 1953–5 included Gabriel Almond, Princeton University; Harold Enarson, formerly of the Whit House staff and now Secretary to the Mayo of Philadelphia; Willmoore Kendall, Yale University; and Adam Watson, specialist in Central European and Near East affairs of th British Embassy staff in Washington, D. C Mr. Kendall also spoke for political scienc in a symposium on "Social Determinants o Scientific Study"; other papers were by Professor A. C. Crombie of the University of London (on conditions surrounding the emergenc of modern science), and by Professor C Addison Hickman of North Carolina Stat College (on economics).—CHARLES S. HYNEMAN.

A four-day Training Institute for Publi Personnel Officers was held in Knoxville on th campus of the University of Tennessee, Jun 8–11, 1954, under the joint auspices of th Southern Regional Conference of the Civi Service Assembly and the Bureau of Publi Administration, University of Tennessee Fifty-one registrants from public personne agencies in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia attended one or more of th institute sessions; the group included representatives of city, county, state, and federa agencies located in the southeast. The Institut was designed to provide an opportunity fo staff members of public personnel agencies t learn more about their respective specialtie and the relation of those specialties to th broader aspects of public personnel administration. Forbes E. McCann, Chief of Examinations and Recruitment, Personnel Department, City of Philadelphia, conducted a two-day session on methods and techniques o recruiting and examining, and Ismar Baruch, Technical Advisor to the United States Civil Service Commission, presided during a similar two-day program devoted to position classification and pay administration. Richard O. Niehoff, Division of Personnel, Tennessee Valley Authority, led a discussion of the place of training in personnel and general management; J. Fred Ogburn, Jr., Director of Personnel, City of Richmond (Virginia), and E. B. Schultz, Chief, Labor Relations Branch, Division of Personnel, Tennessee Valley Authority, served as instructors during a discussion of the problem of employee relations. The institute culminated in a banquet at which Harry L. Case, Director of Personnel, Tennessee Valley Authority, delivered the principal address. The University of Tennessee presented appropriate certificates to those who participated in the institute.

The department of political science of Marshall College sponsored a workshop on "Revising the United Nations Charter," June 1–18, 1954. Professors Conley H. Dillon and Carl Leiden served as lecturers, with the former as director, and Professor Clyde Eagleton of New York University was a special consultant. The workshop was attended by graduate students and teachers.

A Workshop in Practical Politics, sponsored jointly by the Washington State Citizenship Clearing House and the State College of Washington, was held on the State College campus on April 17, 1954. The workshop provided twenty leading students from the State College of Washington and six from the University of Idaho an opportunity to hear and talk to six political leaders from both political parties in the state. Assistant Professor Daniel M. Ogden, Jr. served as the director.

The Second Annual Institute on Management in Government and Business was held in Portland, Oregon, June 29, 1954. Assistant Professor Morton Kroll of the department of political science, University of Oregon, was in charge of developing plans for the program. Some thirty-five leaders from business, the federal government, and agencies of state and local government participated in the discussion of common problems of management.

OTHER ACTIVITIES

A Center for Middle Eastern Studies was established in the spring of 1954 at Harvard University for the purpose of integrating and reinforcing instruction in the languages, literatures, history, economics, and culture of the region extending from the eastern Mediterranean to the frontiers of India, with particular emphasis on the modern period. The director of the center is William L. Langer, Coolidge Professor of History, who will work with the Committee on Middle Eastern Studies, an advisory body representing not only various departments of the Faculty of Arts and Sciences but also specialized graduate schools like the Law School, the Littauer Center for Public Administration, the Graduate School of Business Administration, and the School of Public Health.

The function of the new center is to train specialists for academic and non-academic work in an area which has become increasingly important in world affairs and in which the interests and responsibilities of the United States have grown steadily since the end of World War II. The center provides: a Regional Studies Program for the Middle East, comparable to the Regional Studies programs already in operation at Harvard University for the Soviet Union and for East Asia; joint programs for the Ph.D. combining one of the conventional fields, such as anthropology, economics, government, history, or Semitic languages and history, with Middle Eastern Studies; and a focal point for the planning and development of post-doctoral research in various problems of the modern Middle East.

The Johns Hopkins University School of Advanced International Studies in Washington, D. C. opened an overseas branch of the school in June, 1954. Through a cooperative arrangement with the University of Rangoon, the branch will be known as the Rangoon-Hopkins Center for Southeast Asian Studies. Under the arrangement with the University of Rangoon, a working library suited to the needs of the center will be provided, and a member of the faculty of the School of Advanced International Studies will serve as co-director of the center. The new center will provide opportunities for students from the school in Washington to carry on field study and research under effective supervision. Dr. William T. Phillips, professor of international economics, is the first co-director and has a group of students from the school with him in Burma to organize the work of the center.

The School of Public Administration, University of Puerto Rico, has recently completed a translation program, sponsored by the Foreign Operations Administration, under which the following works on public administration have been translated into Spanish for use in Latin America: James D. Mooney, *The Principles of Organization,* rev. ed.; William E. Mosher, J. Donald Kingsley, and O. Glenn Stahl, *Public Personnel Administration,* 3rd ed.; and L. Urwick, *The Elements of Administration.*

Since May, 1953, chapters of Pi Sigma Alpha, the national political science honor society, have been installed at the following institutions: North Texas State College, University of New Hampshire, State University of Iowa, American University, Washington and Lee University, and Florida State University.

The Society for Personnel Administration recently announced the appointment of a Committee on Professional Standards composed of the following members: O. Glenn Stahl (chairman), U.S. Civil Service Commission; Mitchell Dreese, George Washington University; Catheryn Seckler-Hudson, the American University; Lloyd M. Short, University of Minnesota; E. Charles Woods, Bureau of the Budget; and Wilton H. Dickerson, U.S. Civil Service Commission. The purpose of the committee is to study the existing literature and to outline research needs for better definition of the nature of, and requirements for, entry and progress in the field of personnel management, both public and private.

During the past few months the National Municipal League sponsored a series of ten radio broadcasts entitled "Citizens at Work." The series dramatized over the National Broadcasting Company network citizen action for community betterment in cities competing in the All-America Cities contest, conducted annually by the League and *Look* magazine.

The Falk Foundation of Pittsburgh has granted $105,000 to the Citizenship Clearing House for an intensified and expanded program to prepare college students for participation in political affairs. The grant provides for continued support to Citizenship Clearing House activities at selected colleges and universities; a summer program of seminars and workshops, which will bring together teachers of political science, college administrators, and political leaders from the major parties; and the establishment of local affiliates, particularly in the South and Midwest.

The Social Science Research Council will offer in 1955 the several types of fellowships and grants awarded in the present year, and in addition plans to hold two institutes in mathematics for social scientists in the summer of 1955. A more detailed announcement of the following offerings is to be issued in October, and applications for most types of awards will be due soon after the first of January:

Research Training Fellowships, predoctoral and postdoctoral, for "more advanced research training than that which is provided in the usual Ph.D. program." All Ph.D. requirements except the thesis must be met before tenure of fellowship may begin, but application need not be deferred until that point has been reached.

Faculty Research Fellowships, providing half-time support for research for three-year terms. Open to college and university social science teachers, normally not over 35 years of age.

Grants-in-Aid of Research, to aid scholars of established competence in meeting direct expenses of their own research projects. Not open to candidates for degrees.

Undergraduate Research Stipends, open only to college juniors, for supervised research during the summer and the ensuing senior year. Some appointees will be granted first-year graduate study fellowships for the next year.

Institute in Mathematics for Social Scientists, eight-week sessions to be held during the summer of 1955. Open to predoctoral and postdoctoral students and younger faculty members in social sciences who wish to improve their mathematical competence. A limited number may receive stipends.

In addition to the fellowships and grants listed above, the Council will be able during the coming year to offer certain other types of assistance for study and research:

Interuniversity Summer Research Seminars will be supported on the basis described in Social Science Research Council ITEMS, March, 1954, pp. 4–6.

Summer Research Training Institutes will be organized if groups of social scientists indicate interest in intensive technical or interdisciplinary training in fields related to their primary interests and experience. A description of this program was published in ITEMS, June, 1954, pp. 18–19.

Legal and Political Philosophy: The Council has assumed responsibility for continuing administration of a program of predoctoral and postdoctoral fellowships for advanced study and research in this field, which was inaugurated and administered last year by the Rockefeller Foundation.

History of American Military Policy: Grants may be made to support research on this nation's military policies and impinging factors, covering any period between 1750 and 1939 except the Civil War period. Applications for these special grants should be made before November 1. This program is described in ITEMS, June, 1954, pp. 14–15.

Inquiries should if possible be made early in the autumn, so that there will be ample time for preparation of definite applications before the closing dates. The address is: Social Science Research Council, 726 Jackson Place, N.W., Washington 6, D. C.

The American Association of University Women has announced twenty-seven fellowships to be offered to American women for advanced study or research during the academic year 1955–56. The amount of the fellowships ranges from $2,000 to $3,500. In general, the $2,000 fellowships will be awarded to young women who have completed residence work for the Ph.D. degree or who have already received the degree; the $2,500–$3,500 awards will be made to the more mature scholars who need a year of uninterrupted work for writing and research. Applications and supporting materials must reach the office in Washington by December 15, 1954. For detailed information, write to the Secretary, Committee on Fellowship Awards, American Association of University Women, 1634 Eye St., N.W., Washington 6, D. C.

The Washington Semester program at the American University has been expanded by the addition of a third academic unit. Colleges and universities which have recently affiliated with the program are: Baldwin-Wallace College, Boston University, Hillsdale College, Hope College, Lewis and Clark College, Mary Baldwin College, Millikin University, Mills College, Muskingum College, Ohio Wesleyan University, Oklahoma Baptist University, Otterbein College, Pacific University, the University of the South, and Union University.

By action of the Board of Regents of the University of California, the social science building on the Los Angeles campus was named Charles Grove Haines Hall in honor of the former president of the American Political Science Association. Haines Hall, which will house most of the social science departments, became the new home of the political science department in April.

The Connecticut Society for Public Administration resumed activity on an expanded scale during the past academic year, sponsoring three one-day conferences that were widely attended by young careerists in public administration, graduate students, academic persons, and political officials. The topics were intergovernmental administrative relations, state-local fiscal relations, and public management-union relations. Professor Karl A. Bosworth of the University of Connecticut has served as secretary-treasurer; Professor Stephen K. Bailey of Wesleyan University, as vice-president, and the president has been William Sherman, Comptroller of the Town of Greenwich.

The Maurice and Laura Falk Foundation of Pittsburgh has granted $30,000 to Goucher College for a three-year program designed to encourage and train college women for more active participation in politics. Brownlee Sands Corrin, assistant professor of political science, has been appointed field director for this program, to be administered by the department of political science under the chairmanship of Professor C. I. Winslow.

Frederick N. Cleaveland, associate professor of political science at the University of North Carolina, is currently directing a research project concerning the role of state governments in the conduct and support of scientific research and development. The study is being financed by the National Science Foundation and will focus upon six states: California, Connecticut, New Mexico, New York, North Carolina, and Wisconsin. In each of these states there is an intensive examination of the nature and scope of scientific research and development activities carried on or supported by state government agencies, an analysis of agency organization and procedures for planning and administering research programs, and a consideration of relevant state policies regarding scientific research. The project staff is made up of a research team in each of the six states. In addition to the project director, the senior research staff includes: Hubert

Marshall, department of political science, Stanford University; Elroy Lehmann, department of geology, Wesleyan University (Connecticut); Allan Richards, department of government and citizenship, University of New Mexico; Dean Clark Ahlberg, L.C. Smith College of Engineering; Guthrie Birkhead, the Maxwell School, Syracuse University; and Clara Penniman, Bureau of Government, University of Wisconsin. Dr. John C. Honey of the Program Analysis Office is representing the National Science Foundation in the design and planning of the research. Intensive field work was done during the summer of 1954, and the study is scheduled to be completed by June, 1955.

During the past academic year the department of political science at Northwestern University sponsored a series of discussions on the general topic, "The Nature and Uses of Theory in the Social Sciences." Papers were presented by spokesmen for the several social science departments of the University.

The University of Virginia has entered into a contract with the Department of State for a special program for ten Japanese graduate student-trainees in government for the academic year 1954–55. The project coordinator for the Japanese students will be John Gange, Director of the Woodrow Wilson Department of Foreign Affairs of the University of Virginia.

The Yale University Press has inaugurated a series of publications entitled Yale Studies in Political Science. *The Regulation of Businessmen*, by Robert E. Lane, assistant professor of political science at Yale University, is the first volume in the series. The editorial committee for the series consists of Frederick M. Watkins, chairman, Robert A. Dahl, and David N. Rowe. During 1953–54, Edward McWhinney served as editor of the series.

Professors John T. Holden, Robert B. Dishman, and David C. Knapp, of the department of government, University of New Hampshire, have been serving as consultants to the New Hampshire Commission to Recommend Reorganization of the Tax Structure.

Pedro Muñoz Amato, dean of the College of Social Sciences and director of the School of Public Administration, University of Puerto Rico, delivered a series of lectures on public administration at Tegucigalpa, Honduras, sponsored by the Honduran Ministry of Finance, during the last week of July. August 1–7 he lectured at the opening of the Centra American School of Public Administration which has been established in San José, Costa Rica, by the Technical Assistance Administration of the United Nations. He also attended a seminar on the teaching of the social sciences in Central American universities, sponsored by UNESCO and held at San José, Costa Rica, August 15–23.

Charles S. Ascher, of Brooklyn College, took part in a round table of the International Institute of Administrative Sciences at The Hague in July and in the International Congress of Comparative Law in Paris last August.

Professor Harold F. Alderfer, Director of the Institute of Local Government and professor of political science at the Pennsylvania State University, has been named as consultant to the Commission on Intergovernmental Relations and is participating in a study being conducted in South Carolina to show the impact of federal grant-in-aid programs on the state and local governments. Professor Alderfer was awarded an honorary Doctor of Laws degree by Parsons College, Fairfield, Iowa, at the June commencement in recognition of his outstanding contribution to state and local government both in the United States and abroad.

Wilfred E. Binkley, professor of political science at Ohio Northern University, is one of the two appointees of President Eisenhower to the twelve-member National Historical Publications Commission.

The personal records and semi-official correspondence of Ralph J. Bunche will be acquired by the library of the University of California (Los Angeles). Dr. Bunche graduated from UCLA in 1927.

Maurice G. Burnside, a former member of the department of political science at Marshall College, is the Democratic candidate for Congress in the Fourth Congressional District of West Virginia.

Robert P. Benedict, professor of government at Boston University, gave three lectures last July on American-European understanding in educational and cultural matters at the International Teachers' Conference, sponsored by the Centre Quaker International at Kastl Eerde, Ommen, Holland.

George I. Blanksten, of Northwestern University, spent the summer in Brazil as a member of a team of social scientists studying the impact of technical assistance programs. Professor Blanksten was on leave from the University during the spring, summer, and fall of 1953 for work on the project, which is directed by Professor T. E. Schultz of the department of economics at the University of Chicago.

Lynton K. Caldwell, professor of political science at Syracuse University, recently completed an assignment for the University of Michigan as consultant in public administration to the Institute of Public Administration, University of the Philippines.

Thomas I. Cook, of the Johns Hopkins University, acted as consultant to the Commission on Intergovernmental Relations in Washington during the summer months.

Joseph Dunner, of Grinnell College, who spent the summer in Western Europe, was invited to address the Deutsche Politische Gesellschaft in Munich and the Dante Alighieri Society in Rome.

D. F. Fleming, research professor of international relations at Vanderbilt University, lectured during the past summer in the Fulbright Conference on American Studies at Cambridge University on postwar american foreign policy.

H. Duncan Hall attended as an observer the Commonwealth Parliamentary Conference and Council meetings held in August and September, 1954, in central Africa. He accompanied the members of Parliament from all parts of the Commonwealth on their tour of the territories from Kenya and Uganda to Southern Rhodesia.

Roy C. Macridis, of Northwestern University, attended the International Political Science Conference on Comparative Politics at the University of Florence in April, reading a paper on comparative politics and political science. Professor Macridis visited several European and English universities after the conference.

M. Nelson McGeary, of the department of political science, Pennsylvania State University, was elected president of the Pennsylvania Political Science and Public Administration Association. His choice for the two-year term of office was made at the annual meeting of the association held in Harrisburg in April.

Charles A. Micaud, associate professor of political science at the University of Virginia, spent the summer in France doing research on communism under a Rockefeller Foundation grant.

Hans J. Morgenthau, professor of political science at the University of Chicago, lectured at the Salzburg Seminar in Austria during the summer session.

Mark Neuweld, of Western Reserve University, has been awarded a research fellowship by the Ford Foundation to make a study of the central organization of the Communist Party of the Soviet Union. On leave from Western Reserve, he will spend most of 1954–55 at Harvard University.

Benjamin Rivlin, of Brooklyn College, spent the summer in France and French North Africa studying Franco-Moslem relations under a grant-in-aid of the Social Science Research Council.

Wallace S. Sayre, of Columbia University, was awarded an honorary Doctor of Laws degree in June by Marshall College.

Paul D. Stewart, associate professor of political science at Marshall College, is a candidate for the Huntington Municipal Council.

William S. Stokes, professor of political science at the University of Wisconsin, will be one of the North American participants in the Conference on Responsible Freedom in the Americas, organized by Columbia University, October 25–30, 1954.

Ronald M. Stout, associate professor of political science at Colgate University, was engaged during the summer in the collection of cases for the teaching of public administration to undergraduates. Under a research grant from Colgate University, he gathered material in Albany and New York City.

Albert L. Sturm, professor of political science at West Virginia University, was a consultant to the Task Force on Water Resources and Power, Hoover Commission, during the summer.

Egbert S. Wengert, professor of political science at the University of Oregon, has been serving as a member of a constitution committee appointed by the governor and the legislature to determine whether major constitutional revision is required in Oregon.

APPOINTMENTS AND STAFF CHANGES

John Clarke Adams has been granted a two-years' leave of absence from the University of Buffalo to serve as professor of public administration at the American University of Beirut and to act as director of the newly established in-service training program in public administration for Arab government officials.

Henry M. Alexander, of the University of Arkansas, was a visiting professor of political science at the University of Missouri during the 1954 summer session.

David Apter, who recently received the Ph.D. degree at Princeton University after completing extensive field research in the Gold Coast, West Africa, has accepted an appointment as assistant professor of political science at Northwestern University.

Robert S. Avery returned to the University of Tennessee in September after a years' leave of absence.

Stephen K. Bailey, formerly of Wesleyan University, has been appointed director of the graduate program of the Woodrow Wilson School of Public and International Affairs at Princeton University. He will hold the William Church Osborn Professorship of Public Affairs.

Sidney Baldwin, who completed his work for the Ph.D. degree at Syracuse University while serving as a member of the faculty of Wesleyan University, has accepted an appointment as instructor of political science at Northwestern University.

William M. Beany, assistant professor of politics at Princeton University, has been granted a leave of absence for 1954–55.

Paul Beckett has been promoted to professor of public administration at the State College of Washington.

George A. Bell has been appointed predoctoral instructor in political science at the University of Michigan.

Fredrick T. Bent has been appointed chairman of the department of public administration at the American University of Beirut.

Marver H. Bernstein has been promoted to the rank of associate professor in the department of politics, Princeton University.

Donald C. Blaisdell has been appointed visiting professor of political science at Wellesley College for 1954–55.

Charles Blitzer has been promoted to the rank of assistant professor of political science at Yale University. He has been awarded a research grant by the Rockefeller Foundation and is on leave of absence during 1954–55 to conduct research in England on the idea of property in the 17th and 18th centuries.

Virgil C. Blum has joined the department of political science at Creighton University as an instructor.

Henry L. Bretton has been promoted to the rank of assistant professor of political science at the University of Michigan.

Richard G. Brown, Military Intelligence Research Specialist, Office of Assistant Chief of Staff, Department of the Army, has been advanced to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

George P. Bush has been promoted to the rank of professor in the department of political science and public administration at the American University.

Robert K. Carr, of Dartmouth College, was a visiting professor at Columbia University during the 1954 summer session.

H. Paul Castleberry, who has been on leave of absence as a Fulbright lecturer in Egypt, has been promoted to associate professor of international relations at the State College of Washington.

Chen Kin Cheng, associate professor of political science at the University of Hawaii, was a visiting member of the faculty at the University of North Carolina during the 1954 summer session.

Harwood L. Childs resumed his duties as professor of politics at Princeton University in September after spending the past year in Brazil.

Sven Christian Clausen, professor of law at the University of Copenhagen and distinguished playwright, is a Whitney-Fulbright visiting lecturer at the University of North Carolina during the fall semester.

Winston W. Crouch, of the University of California (Los Angeles), has received a Fulbright award to spend the 1954–55 academic year in New Delhi, India.

Robert Dahl, of Yale University, taught at Northwestern University during the 1954 summer session.

James F. Davidson has been appointed to an assistant professorship in political science at the University of Tennessee.

Claude J. Davis has been appointed to an instructorship in political science at the University of Tennessee for the year 1954–55.

W. Phillips Davison, associate of the Rand Corporation, has been promoted to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

David Derge, formerly a graduate teaching assistant at Northwestern University, has accepted an instructorship in political science at the University of Missouri.

Karl W. Deutsch, of the Massachusetts Institute of Technology, was a visiting professor in the department of political science at the University of Chicago during the summer quarter, 1954.

Gottfried Dietze has accepted an appointment as assistant professor of political science at the Johns Hopkins University, beginning in September, 1954.

Robert B. Dishman is serving as acting chairman of the department of government at the University of New Hampshire during the current academic year.

Jean Driscoll, formerly a member of the faculty of the University of Wisconsin in Milwaukee, is serving as research associate in connection with the Curriculum Development Project of the Northwestern University political science department.

Stephen Early, Jr., formerly of the University of Virginia, has been appointed assistant professor of political science at DePauw University.

William Ebenstein, professor of politics at Princeton University, was visiting professor of political science at the University of Michigan during the summer of 1954.

Samuel J. Eldersveld, of the University of Michigan, has been granted a Fulbright fellowship to the Netherlands and will be on sabbatical leave for the academic year 1954–55.

Russell R. Elliott has been promoted to associate professor of history and political science at the University of Nevada.

Alona E. Evans is on leave of absence during 1954–55 from Wellesley College to study the status of political asylum in international law.

R. Barry Farrell has been promoted to the rank of assistant professor of political science at Yale University. He spent the summer of 1954 in Europe as the recipient of the Blanche Elizabeth MacLeish Billings Memorial Award.

Russell H. Fifield has been promoted to the rank of professor of political science at the University of Michigan. He returned to Ann Arbor in September after a years' leave spent in research in Southeast Asia.

Wesley R. Fishel has been promoted to the rank of associate professor of political science at Michigan State College. He will continue as assistant director of the Governmental Research Bureau.

Russell H. Fitzgibbon, professor of political science at the University of California (Los Angeles), taught in the summer session at the University of Nebraska.

Peter J. Fliess, of Louisiana State University, has been promoted to associate professor of government, effective September, 1954.

Alexander George, associate of the Rand Corporation, has been promoted to the rank of professorial lecturer in political science in the department of political science and public administration at the American University.

Louis L. Gerson has been promoted to assistant professor in the department of government and international relations at the University of Connecticut.

Charles Gilbert, a member of the staff of Senator Hubert H. Humphrey of Minnesota while writing his thesis for the Ph.D. degree at Northwestern, has accepted a position in the political science department at Oberlin College. During the second semester of 1953–54, Mr. Gilbert was an instructor at Swarthmore College.

Gilbert F. Gilchrist, who received his Ph.D.

degree from the Johns Hopkins University in June, 1954, is spending the present year in England on a Fulbright fellowship.

William Goodman is on leave from the University of Tennessee during the fall quarter of 1954 to teach at Vanderbilt.

George Grassmuck, formerly assistant professor of political science at UCLA, has been appointed associate professor of public administration at the American University of Beirut.

Raymond H. Gusteson has been advanced to the rank of associate professor in the department of government at Ohio University, Athens, Ohio.

Randy H. Hamilton, Washington Director of the American Municipal Association, has been promoted to the rank of professorial lecturer in public administration in the department of political science and public administration at the American University.

Robert J. Harris has resigned as professor and head of the department of government at Louisiana State University to accept an appointment as professor of political science at Vanderbilt University, effective September 1, 1954.

Lashley G. Harvey returned to Boston University and the chairmanship of the government department on September 1 after a year's leave, which he spent at the Public Administration Institute for Turkey and the Middle East, Ankara, Turkey.

Lowell H. Hattery has been promoted to the rank of professor in the department of political science and public administration at the American University.

Jerzy Hauptmann, chairman of the political science department at Park College, has been promoted to the rank of associate professor.

Carroll Hawkins, associate professor of political science at Michigan State College, began a year's sabbatical leave on September 1, 1954.

John T. Holden, chairman of the department of government at the University of New Hampshire, is spending the present academic year as a Fulbright lecturer in public administration and political theory at Chulalonghorn University in Bangkok, Thailand.

David Horton, of Westminster College, was a visiting professor of political science at the University of Missouri during the 1954 summer session.

Philip E. Jacob has been promoted to professor of political science at the Wharton School, University of Pennsylvania. Professor Jacob is Director of the Summer School and the College Collateral Courses.

Judith Norvell Jamison, who has been awarded a fellowship by the Haynes Foundation, is on a year's educational leave of absence from the Bureau of Governmental Research, University of California (Los Angeles).

Philip Jessup, of Columbia University, was visiting professor during the summer session at the University of Hawaii.

Franklyn A. Johnson, chairman of the Division of Human Relations, Rollins College, has been named state director of the Florida Citizenship Clearing House which was activated on May 15 at Rollins College.

George McTurnan Kahin has been promoted to an associate professorship in government at Cornell University, effective July 1, 1954.

Robert F. Karsch has been advanced to professor of political science at the University of Missouri.

John H. Kautsky, recently a research associate at the Center for International Studies, Massachusetts Institute of Technology, has been appointed visiting assistant professor of government at the University of Rochester.

John Kerry King, of the University of Virginia, is on leave during 1954–55. He has been awarded a Carnegie research fellowship for research at the Council on Foreign Relations in New York.

Hans F. Kirchberger retired in June from his position as political science lecturer in the University of Wisconsin Extension Division.

Marshall Knappen, of the University of Michigan, has been granted a sabbatical leave for the year 1954-55.

Alan A. Kuusisto has been promoted to associate professor of government at the University of New Hampshire. He returned recently from Finland where he spent the past year as a Fulbright scholar.

Lionel H. Laing, professor of political science at the University of Michigan, will be absent on sabbatical leave during this academic year in order to visit parts of the Commonwealth. He sails from Vancouver in October for New Zealand and Australia.

Robert E. Lane has been reappointed to a second three-year term as assistant professor of political science at Yale University. He resumed his duties this fall after a year's leave of absence on a fellowship of the Ford Foundation Fund for the Advancement of Education and membership in the Summer Seminar in Political Behavior Research sponsored by the Social Science Research Council at the Survey Research Center, University of Michigan.

Harold D. Lasswell, professor of law and political science at Yale University, has been granted leave of absence for 1954–55 to serve on the staff of the Institute of Behavioral Sciences at Palo Alto.

Arnaud B. Leavelle has been promoted to professor of political science at Stanford University.

Luke Lee, recently of the Fletcher School of Law and Diplomacy, is teaching courses in comparative government this year at the St. Lawrence University.

Gordon K. Lewis, who received his Ph.D. in government from Harvard University in June, 1954, has been appointed associate professor of political science at the University of Puerto Rico.

John D. Lewis, of Oberlin College, served as visiting professor at Columbia University during the 1954 summer session.

Kenneth Lindsay, former member of Parliament and former Minister of Education in England, has been appointed visiting professor of political science for the spring term 1954–55 at the University of Oregon.

George A. Lipsky, recently assistant professor of political science at the University of California (Berkeley), is serving during 1954–55 as visiting lecturer in political science at Yale University.

John J. Logue, who taught at the University of Notre Dame during 1953–54, has been appointed instructor in government at Fordham.

Norton E. Long, of Western Reserve University, was visiting professor of political science at the University of Michigan during the summer of 1954.

S. Gale Lowrie retired in June, 1954 from his position as professor and head of the department of political science at Cincinnati.

Clay P. Malick is serving as chairman of the department of political science at the University of Colorado during the absence of Professor Leo C. Riethmayer.

Gerard J. Mangone will be on leave from Swarthmore College for the academic year 1954–55 as a Fulbright scholar at the University of Padua in Italy.

Conrad L. McBride, formerly an instructor at Pomona College, has been appointed instructor in political science and research associate in the Bureau of State and Community Service, University of Colorado.

Daniel S. McHargue, assistant professor of political science at the University of Michigan, has been assigned to the Institute of Public Administration, University of the Philippines for 1954–55.

Joseph E. McLean, associate professor in the department of politics at Princeton University, has been named Commissioner of Conservation and Economic Development for the State of New Jersey.

Douglas H. Mendel, formerly teaching fellow at the University of Michigan, has been appointed instructor in political science at the University of California (Los Angeles).

Wallace Mendelson resumed his regular duties as professor of political science at the University of Tennessee in September after a year's leave of absence.

Edmund C. Mester, recently on the staff of the United States Military Academy, is teaching at the University of Cincinnati during the current academic year.

Edward W. Mill, formerly of the State Department and Princeton University, has accepted an associate professorship in government at the University of Hawaii.

John H. Millett, assistant professor of government at the University of Rochester, has been granted a year's leave of absence to study the role of interest groups in British political life under a Ford Foundation fellowship.

Emmet V. Mittlebeeler has been appointed assistant professor in the department of political science and public administration at the American University. Dr. Mittlebeeler, who has been the professional assistant to Representative John M. Robsion, Jr., will serve as the academic director of Unit III of the Washington Semester Program.

George E. Moore, of Fairmont State College, was a visiting member of the department of political science at West Virginia in the 1954 summer session.

Rodney L. Mott, Director of the Division of Social Science at Colgate University, has been appointed visiting professor at the University of Kyoto in Japan for the autumn term of the current academic year. Professor Mott will be on leave of absence from Colgate University until February 1, 1955. During the summer, as director of the Kyoto American Studies Seminar, sponsored by the University of Illinois, he conducted an intensive seminar on American constitutional law for graduate students and for professors of law and political science at Japanese universities.

James N. Murray, Jr., formerly of Northwestern University, has been appointed to a full-time instructorship in political science at the State University of Iowa.

Ivan G. Nagy, who has been awarded a fellowship by the Fund for Adult Education to enable him to study methods for securing adult participation in the study of international relations, is on leave during 1954–55 from the University of Oregon.

Fred Warner Neal, formerly visiting lecturer in political science at the University of Michigan, is in Yugoslavia on a research project for the American Universities Field Staff. In connection with this project he also has a grant from the American Philosophical Society.

W. Grafton Nealley has been advanced to a full professorship in government at Adelphi College.

Franz Neumann, on leave from Columbia University during 1953–54, was visiting professor at the Free University of Berlin during the spring semester under an exchange program between Columbia and Stanford Universities and the Free University, sponsored by the Ford Foundation.

Robert G. Neumann is on leave from the University of California (Los Angeles) to spend the year at the Universities of Bordeaux and Strasbourg under a Fulbright award.

Sigmund L. Neumann returned to Columbia University in September as visiting professor of government.

Richard E. Neustadt has been appointed assistant professor of government in Columbia College.

Gerhart Niemeyer, of the Council on Foreign Relations, has accepted a part-time appointment as visiting lecturer at Yale University for the current academic year to teach courses in international organization.

Clark F. Norton, professor of political science at DePauw University, was a visiting professor at West Virginia University during both terms of the 1954 summer session.

Fritz Nova has been appointed associate professor of history and political science at Villanova University.

Vincent Ostrom has been advanced to an associate professorship in political science at the University of Oregon. He has been awarded a faculty research fellowship by the Social Science Research Council which will enable him to devote half of his time during the next three years to a study of the process of public policy formation.

Louise Overacker is on leave from Wellesley College to continue a study of labor parties in England.

Saul K. Padover, of the New School for Social Research, is teaching part time at Columbia University during 1954–55.

Thomas W. Palmer, Jr., who has completed tours of duty with a Point-Four economic development commission in Brazil and with the Central Intelligence Agency in Washington, has accepted an appointment beginning September 1, 1954, as Coordinator of Latin-American Studies at Boston University.

Cheryl Petersen has been appointed to the staff of the department of political science at Wellesley College.

Claude S. Phillips, Jr., who has recently completed his doctorate at Duke University, has been appointed to an instructorship in the department of political science at the University of Michigan.

Rollin B. Posey, of Northwestern University, is a visiting professor at the University of

Puerto Rico during the first semester of 1954–55 and is teaching courses in public administration and government and business.

Lawrence Preuss, of the University of Michigan, has been appointed visiting professor of political science at the University of California (Berkeley) for the year 1954–55.

James Prothro, associate professor of political science at the Florida State University, is on leave of absence during 1954–55 to study at Columbia University under a Ford fellowship.

Henry Reining, Jr., Dean of the School of Public Administration, University of Southern California, has accepted an appointment with the University of Michigan to serve for three months as consultant in public administration to the Institute of Public Administration, University of the Philippines.

Leo C. Riethmayer is on leave of absence from the University of Colorado until June, 1955, to serve as professor of public administration in the Institute of Public Administration, University of the Philippines.

Elston Roady has been promoted to associate professor of political science at the Florida State University.

Charles I. Robertson, instructor of politics at Princeton University, has received an appointment as instructor in the department of government at Smith College.

Howard M. Roelofs has been advanced to assistant professor of government at Cornell University.

Arnold A. Rogow, of the department of political science, State University of Iowa, is spending the academic year 1954–55 as a fellow at the Center for Advanced Study in the Behavioral Sciences at Palo Alto, California.

John H. Romani, formerly research fellow, Institute of Public Administration, University of the Philippines, has been appointed predoctoral instructor in political science at the University of Michigan.

Clinton L. Rossiter has been promoted to professor of government at Cornell University.

Joseph S. Roucek, of the University of Bridgeport, spent the summer as visiting professor of education at the University of Oregon.

Francis E. Rourke has accepted an appointment as assistant professor of political science at the Johns Hopkins University, beginning in September, 1954.

David N. Rowe, professor of political science at Yale University, is on leave of absence during 1954–55 to serve as the Taiwan (Formosa) representative of the Committee for Free Asia.

Dankwart A. Rustow returned in September from a year in Turkey and the Near East to resume his duties as assistant professor of politics at Princeton University.

Wallace S. Sayre has joined the department of public law and government at Columbia University as professor of public administration.

Warner R. Schilling will be at Columbia for the academic year 1954–55, dividing his time between the Institute for War and Peace Studies and lecturing in the government department at Columbia College.

Charles P. Schleicher, on sabbatical leave from the University of Oregon this year, is a Fulbright lecturer at Allahabad University in India.

John R. Schmidhauser, of the University of Virginia, has been appointed to a full-time instructorship in political science at the State University of Iowa.

Carl J. Schneider has been advanced to associate professor of political science at the University of Nebraska.

William E. Scott has been appointed to an instructorship in political science at Yale University.

Chandler Shaw, professor of history and political science at Bethany College, was a visiting professor in the 1954 summer session at West Virginia University.

Wilbur S. Shepperson, who has been awarded a Commonwealth Fund fellowship, is on leave from the University of Nevada during the academic year 1954–55.

Foster H. Sherwood, of UCLA, taught in the 1954 summer session at Northwestern University.

Donald V. Smiley, formerly a graduate teaching assistant at Northwestern University, has accepted an instructorship in political science at Queen's University, Kingston, Canada.

Frank J. Sorauf, instructor in political science at the Pennsylvania State University, served as a research associate for the Secretary of State in Madison, Wisconsin, during the summer months.

James R. Soukup, graduate student in political science at the University of Michigan, has been granted a Fulbright fellowship to Japan (Keio University) for the year 1954–55.

Edmund F. Spellacy, of the department of government, University of Hawaii, has been appointed by the Governor of Hawaii to the Commission on the Organization of the Administrative Branch.

Wladyslaw J. Stankiewicz has been appointed visiting research fellow at the Center of International Studies, Princeton University.

Murray S. Stedman resumed his teaching duties at Swarthmore College and became acting chairman of the department of political science in September after a leave of absence with UNESCO in Paris.

Richard W. Sterling, formerly of Yale University, is a teaching intern under the Ford Foundation in the department of government at Dartmouth College.

John G. Stoessinger has joined the department of political science at Wellesley College.

Leo Strauss, of the University of Chicago, is a visiting professor at the Hebrew University in Israel during the 1954 academic year.

K. Thor Swanson has been appointed to an instructorship in political science at the State College of Washington.

Carl B. Swisher resumed his duties as chairman of the department of political science at the Johns Hopkins University in September after a year's leave of absence.

James D. Teller, Civilian Chief, Standards Branch, Directorate of Personnel Planning, Department of the Air Force, has been promoted to the rank of adjunct professor of public administration in the department of political science and public administration at the American University.

Kenneth Thompson has been granted a continuation of his leave from Northwestern University to permit him to remain on the staff of the Rockefeller Foundation during the year 1954–55.

John S. Thomson, assistant professor of political science at the University of Wisconsin, has been granted a foreign study and research fellowship by the Ford Foundation for a year's work in Burma.

John A. Toomey, who did his graduate work at the New School for Social Research, has been appointed instructor in social studies at Windham College, Putney, Vermont.

John Turner, of the University of Minnesota, spent the summer in England where he did research on the internal organization and dynamics of the Labor party.

Vernon Van Dyke, of the State University of Iowa, has been promoted to the rank of full professor, effective July 1, 1954.

Harold M. Vinacke has been appointed head of the department of political science at the University of Cincinnati.

Robert A. Walker has been advanced to a full professorship in political science at Stanford University.

Lawrence C. Wanlass, assistant professor of political science at Mount Holyoke College, has been granted a Fulbright award. He will spend the year at the University of the Philippines in Manila where he will study the theory and practice of communism in Southeast Asia.

Robert E. Ward has been promoted to the rank of associate professor of political science at the University of Michigan. He will continue as assistant director of the Center for Japanese Studies at the University of Michigan.

Henry Wells, visiting lecturer in the School of Public Administration, University of Puerto Rico, during the academic year 1953–54, has been appointed associate professor and chairman of the political science staff, University of Puerto Rico.

John E. Westburg, formerly of the University of Southern California, has been appointed research assistant to the Legislative Counsel, in the Legislative Counsel Bureau of Nevada.

Troy R. Westmeyer, assistant professor of government, has been granted partial leave from Boston University for the first semester 1954–1955 to serve as Executive Director of the Massachusetts Fiscal Survey Commission.

John P. White, who received his Ph.D. from the University of Chicago in 1953 and who has been employed by the Navy Department, has been appointed to an instructorship in the department of political science at the University of Michigan.

Ruth Widmayer has been appointed assistant professor of political science at the University of Oregon.

René de Visme Williamson, formerly of the University of Tennessee, has been appointed professor and chairman of the department of government at Louisiana State University, effective September, 1954.

George L. Willis has been appointed assistant professor of political science at the University of Cincinnati.

William R. Willoughby is on leave from the St. Lawrence University during 1954–55 to do research at the Institute for Advanced Study, Princeton University.

Hubert H. Wilson, associate professor of politics at Princeton University, is on leave during the first term of 1954–55.

Daniel Wit, of the University of Cincinnati, has been appointed visiting professor of political science at the University of Michigan for the year 1954–55.

Roland Young, of Northwestern University, was a visiting professor at Harvard University during the 1954 summer session.

William H. Young has been appointed budgetary assistant to the president of the University of Wisconsin. He will continue to serve half time in the department of political science.

I. William Zartman taught in the summer session at the Johns Hopkins University.

Paul E. Zinner is a visiting assistant professor of government at Columbia University during the 1954–55 academic year.

IN MEMORIAM

Waldemar Gurian died of a stroke in South Haven, Michigan, on May 26, 1954, at the age of fifty-two. He had suffered repeated illnesses in the last two years and had gone to the vacation resort after a research leave of absence in Germany.

He was born in St. Petersburg (Leningrad), Russia. Although some reference books and many obituary notices described him as a convert to Catholicism, he was baptized in that Church as a child. Russian origin and Catholicism provide fundamental clues to his thought and outlook. This religious bridge with the West was made through his mother, who moved to Germany before World War I. During the war years he was educated at the Collegium Albertinum, a Dominican school in Venlo, Holland. Later he attended the Hohenzollern Gymnasium at Dusseldorf.

His university work at Berlin and Cologne, done under such teachers as Max Scheler, culminated in his doctoral thesis on the German Youth Movement. With his doctorate he had an almost medieval sense of being a member of the academic world, perhaps, as it were, an ex-officio member of the world's universities. A powerful mind, voracious reading, an almost universal curiosity, and a remarkably retentive memory enabled him to discourse professionally with his colleagues in almost all the humanities.

At the same time he was wholly free from the erudite provincialism of the academic specialist. His generous concern for important issues and titanic impatience with the petty questions from which academicians sometimes make their claims to originality were expressed in equally unforgettable fashion. He had, and not accidentally, a journalist's sense of urgency. The work of the journalist, or better, publicist, helped him to carry on enormous learning without a trace of pedantry. Between 1923 and 1937 he acted mainly as a free-lance writer. In 1923–24 he was night-editor of the *Koelnische Volkszeitung*, the greatest Catholic newspaper of the Rhineland. Thereafter he remained on the staff, reviewing books in a spirit which belied his *nom de plume*, Hoplite.

Between 1929 and 1931 he published his major works (in German), *The Political and Social Ideas of French Catholicism, 1789–1914* and *Bolshevism: Theory and Practice.* The latter, translated into many languages, is one of the basic books of modern scholarship for the understanding of Soviet Communism. On the latter subject he wrote a multitude of books and articles, of which mention may be made of *Bolshevism: An Introduction to Soviet Communism* (1952) and his contribution to the Arden House Conference (1954) on the concept of *Partijnost* (Party-mindedness). The work on French Catholicism grew out of his permanent interest in Lammenais and in the general field of Church history. For many years he was committed to writing a history of the Church in the modern world. But he published only some articles on Lammenais and Louis Veuillot, on French integral nationalism, a book on *Hitler and the Christians*, and a collaborative volume, *The Catholic Church in World Affairs* (1954).

The accession of Hitler to power caused him and his family (wife and daughter) to seek refuge in Switzerland (1934). There, in difficult financial conditions, he edited with Otto Knabe *Deutsche Briefe* (1934–1937), a mimeographed weekly designed to point out the hideous nihilism of Hitler's movement, and the editors took special pains to deliver their paper to the German Catholic bishops.

In 1937, Gurian came to Notre Dame where he remained until his death. He became an American citizen in 1943 and professor of political science in 1944. At Notre Dame he was an indefatigable promoter of lectures, discussions, and research projects. Under his editorship *The Review of Politics*, a quarterly, began publication in 1939. This journal, primarily interested, as its editorial page proclaims, "in the philosophical and historical approach to political realities," is his most characteristic achievement. In later years Gurian headed the Notre Dame Committee on International Relations, established (1949) with the help of a grant from the Rockefeller Foundation, and organized the Center for Eastern European and Soviet Studies, with the help of a grant from the Ford Foundation. In 1950 he was president of the Catholic Historical Association. His death leaves an empire of functions and jobs to his successors. His colleagues will long miss his stimulation, encouragement, and challenges, and, in particular, the fruits of his long reflection on the problem of morals and power.—MATTHEW A. FITZSIMONS.

Charles C. Rohlfing died on April 3, 1954, at the age of 52. He graduated from the University of Pennsylvania in 1923 and became an instructor in the political science department the following year. He received the degree of Doctor of Philosophy at Pennsylvania in 1930 and the degree of Bachelor of Laws at Temple University in 1934. He was made professor of political science in 1940 and served as chairman of the political science department from 1937 to 1949.

Professor Rohlfing was a student of government who conceived his obligations to extend widely into the arena of public affairs. There is space to chronicle only a few of the more important responsibilities he accepted. From 1943 to 1952 he was a member of the Executive Committee of the Greater Philadelphia Movement, an influential organization for civic betterment including in its membership leaders from many sides of Philadelphia life. As chairman of its Legal Affairs Committee, he played a leading part in establishing Philadelphia's new home-rule charter.

He served on two committees appointed by the Governor of Pennsylvania—one to investigate alleged disfranchisement of voters, the other to investigate the affairs of the Philadelphia Registration Commission. For a period of eight years he was a member of the Board of Supervisors of Middletown Township, Delaware County, Pennsylvania.

Professor Rohlfing gave his time generously to a wide variety of private enterprises which sought his aid and counsel. He was active in the local chapter of the American Association of University Professors, serving as its president in 1945–46. The National Foundation for Education and Citizenship named him to its Executive Committee. He was also a member of the Executive Committee of the Pennsylvania Public Charities Association.

Professor Rohlfing received the professional recognition of his colleagues. He was a member of the Executive Council of the American Political Science Association from 1944 to 1947 and of the Board of Editors of the *American Political Science Review* from 1946 to 1949. For three years he served as president of the Pennsylvania Political Science and Public Administration Association.

In addition to many articles, he wrote *National Regulation of Aeronautics*, and was co-author of *Business and Government*, *The American Government and Its Work*, and *A Survey of Pennsylvania*.

Professor Rohlfing moved without ostentation and with gentleness among the many concerns and associations of his academic and public-oriented life, exercising a sure influence on the side of peace and wisdom. His generous spirit in the affairs of the University of Pennsylvania and the wider community in which he labored will be missed by many.—JOHN PERRY HORLACHER.

Roger Vernon Shumate, professor of political science at the University of Nebraska, died unexpectedly in Lincoln, May 22, 1954, two months after his fifty-fourth birthday. Professor Shumate received his bachelor's and master's degrees at the University of California at Berkeley and his doctorate at the University of Minnesota in 1933. He served as instructor in political science at the University of Cincinnati from 1929 to 1931, at the University of Minnesota from 1931 to 1933, and at the University of Pittsburgh from 1933 to 1937. Before entering college he had served a year in the Navy and a year in the United States Merchant Service. He joined the department of political science at the University of Nebraska as an associate professor in 1937 and became a full professor in 1944.

In his seventeen years at Nebraska, Professor Shumate really had two careers—teaching and service with the state government. Within a few months of his arrival in Nebraska he was named Director of Research for the newly organized Legislative Council. In this capacity he supervised the preparation of a very large number of studies for the legislature and traveled widely over the state in connection with committee and sub-committee hearings on matters before that body. In less skilled hands the post of Director of Research might easily have become political in the derogatory sense of the word. With rare insight and acumen Professor Shumate prevented that sort of development, so that at his death the agency which he headed enjoyed the respect not only of the legislators for whom and with whom he worked, but also of the executive branch of the state government and of his university colleagues. His research reports, although they did not enjoy wide circulation outside the state, were models of careful investigation and balanced presentation. In the course of his work for the legislature he acquired an unrivaled knowledge of the government of the state and its local units, as well as of the imponderables of politics and administration. In the opinion of his colleagues his service to the state government added greatly to his effectiveness as a teacher, bringing to life by apt and concrete illustration the abstractions of books.

Professor Shumate's work as a teacher was in the fields of political parties and public law. He was thorough and systematic and held his students to high standards of performance quite in keeping with the discipline which he vigorously imposed upon himself. Although for much of the time he was under the heavy pressure of his duties at the state capitol, Professor Shumate discharged with admirable conscientiousness his teaching obligations. During the last five years of his life he added to his teaching service two important university committees. For four years he was chairman of the Committee on University Publications and for two years was a member of the Committee on Student Affairs, both burdensome assignments which he discharged with great efficiency and fidelity. In his premature death the state and the university have lost a valuable public servant and his colleagues a loyal friend.—Lane W. Lancaster.

CORRESPONDENCE CONCERNING THE TREATMENT OF ADMINISTRATIVE LAW IN PUBLIC ADMINISTRATION TEXTBOOKS

[Editor's Note: The correspondence below relates to the section entitled "Misinformation about Administrative Law" in Professor Kenneth Culp Davis' "Some Reflections of a Law Professor about Instruction and Research in Public Administration," this REVIEW, Vol. 47, pp. 728–52, at pp. 739–48 (Sept., 1953). See also Vol. 48, pp. 174–85, especially at p. 185. (March, 1954).]

TO THE EDITOR:

As Professor Kenneth Culp Davis points out in the March, 1954 issue of the REVIEW, that part of his September, 1953 article which he feels "may be the most important," namely, the part entitled "Misinformation about Administrative Law," remains unanswered. It will be recalled that in his article Professor Davis, drawing upon his experience as a law teacher and textbook writer, analyzed the contents of the textbooks in public administration which contain substantial discussions of administrative law and concluded that "the proportion of misinformation is exceedingly high." In the statement of March, 1954, Professor Davis added: "Furthermore, some of the misinformation has been so much repeated in political science literature, one writer citing another, that many readers may be reluctant to believe that it is misinformation."

Let us examine some of the misinformation which Professor Davis attributes to our colleagues by reviewing half of the half dozen criticisms he makes of the public administration textbook which he calls "Book 1."

The first example of misinformation quoted by Professor Davis and then refuted by him at length is the following sentence from Book 1: "In the United States there is no legal limit upon the right of courts to review the decisions of administrative tribunals." This happens to be the opening sentence of a whole chapter on judicial review of administrative action, and one does not have to read this chapter to realize that Professor Davis is criticizing this sentence out of its context. For example, Professor Davis, himself, shortly quotes the following additional sentence from Book 1: "As a general rule, courts attempt to distinguish between questions of law and fact by reviewing the former and not the latter."

The last sentence is quoted from Book 1 by Professor Davis as another piece of misinformation, because, he explains, "under the dominant doctrine the courts review findings of fact to the extent of determining whether they are supported by substantial evidence." This is, however, the very point Book 1 itself makes in a qualifying sentence located only one sentence removed from the allegedly wrong sentence, but one which Professor Davis failed to quote. The omitted sentence reads: "In findings of fact, however, the rule prevails that there must be evidence sufficient to support the decision."

Another of Professor Davis' quotations from Book 1 is the following: "the courts normally will refuse to interfere with immigration orders for deportation." Professor Davis calls this "plainly false," because "in many hundreds of cases the courts have interfered; the review of deportation orders makes up a large portion of all review of federal administrative action." Political scientists who write on this question (including the author of Book 1, as will shortly appear) are more precisely aware than this of the extent of judicial review in deportation cases. They know, for example, that no more than 30 out of over 300 deportation cases acted on by the federal courts in 1951–1952 were won by those threatened with deportation, and that the courts are thus "normally" so hesitant to interfere with deportation orders that the present Administration is seriously considering action to permit easier review in such cases, and, in fact, the Attorney General has recently submitted a bill to both houses of Congress which would implement this change. But the main trouble with Professor Davis' objection to Book 1's discussion of this point is the fact that his quotation of Book 1 is fallacious. For, instead of having said "the courts normally will refuse to interfere with immigration orders for deportation," Book 1 actually says: "While the courts normally will refuse to interfere with immigration orders for deportation, they will set aside orders, [etc]."

If the REVIEW is to maintain accepted standards of analysis and criticism, it would seem necessary to require quotations that are more genuine and criticisms that are more germane than these.

ALBERT LEPAWSKY
University of California (Berkeley)

TO THE EDITOR:

My purpose is the constructive one of suggesting that instruction can be significantly improved if the textwriters who discuss administrative law will substitute concrete and specific illustrations for their abstract and general exposition.

No professor in any leading law school of the United States would try to teach this type of subject matter through abstract generalizations of the kind that are the main reliance of the public administration texts. Even the textwriters show in their texts that they are incapable of developing their own understanding through that method. This fact is not necessarily a reflection on them. They are attempting the impossible. They cannot develop or convey an understanding of segments of administrative law unless they are willing first to think and then to write in terms of the concrete and the specific. The essence is too often in the applications of the generalizations.

The proof of these assertions lies in the extent to which able textwriters have saturated their texts with misinformation. To present this proof, I have devoted a section of my article to "Misinformation about Administrative Law." I have set forth some thirty or forty examples of such misinformation.

Professor Lepawsky chooses three of my thirty or forty examples and says that I have criticized sentences out of context. I shall answer him by setting forth each context, so that the reader can judge for himself.

The first sentence which Professor Lepawsky says I have taken out of context is the first sentence in a chapter. The entire first paragraph of the chapter, including the first sentence, is as follows:

"In the United States there is no legal limit upon the right of the courts to review the decisions of administrative tribunals. Legislatures cannot insulate administration against judicial review by introducing into the statute clauses designed to thwart review. Our doctrine of constitutional limitations is such that the judiciary can question every administrative act. Even if a state constitution attempted to set up an administrative commission whose acts were not subject to review by the state courts, judicial review could be accomplished in the federal courts under the due process clause of the Fourteenth Amendment. The sum and substance of the situation is that the courts may review to the extent they deem desirable; that there is no method whereby one may know whether they will or will not review in individual cases; and that administrative decisions are final to some undefined extent, and there seems to be a tendency at work to make them increasingly so."

The paragraph is well written in the sense that every one of the five sentences contributes to a single underlying theme. Because the underlying theme is based upon misunderstanding, each of the five sentences is erroneous, whether considered singly or as a part of the paragraph. If the paragraph were rewritten to render it accurate, most of the sentences would assert the opposite. Following is my revision, which I think is accurate in all respects:

"In the United States the limits upon the right of courts to review administrative decisions are many. Not only can the legislatures insulate administration against judicial review but they frequently do it. Our constitutional system permits many limitations on the power of the judiciary to question administrative action. As early as 1840, in *Decatur* v. *Paulding*, 14 Pet. 497, 516, the Supreme Court acted on the basis of its view that: 'The interference of the Courts with the performance of the ordinary duties of the executive departments of the government, would be productive of nothing but mischief.' In 1900 the Supreme Court said in *Keim* v. *United States*, 177 U.S. 290: 'It has been repeatedly adjudged that the courts have no general supervising power over the proceedings and action of the various administrative departments of government.' The law is now what it was in 1903, when the Supreme Court said in *Reetz* v. *Michigan*, 188 U.S. 505, 507: '. . . we know of no provision in the Federal Constitution which forbids a State from granting to a tribunal, whether called a court or a board of registration, the final determination of a legal question. . . . Due process is not necessarily judicial process.' Usually one may know from the decided cases whether or not courts will review in individual cases. For instance, the courts usually give effect to such a statutory provision as 54 *Stat.* 1197 (1940), 38 *U.S.C.A.* §11a-2 (1954): 'Notwithstanding any other provisions of law, except as provided in sections 445 and 817 of this title, the decisions of the Administrator of Veterans' Affairs on any question of law or fact concerning a claim for benefits or payments under any Act administered by the Veterans' Administration shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such decisions.'"

If the reader has any doubts that this revision is accurate, I refer him to the full discussion of the authorities in my book *Administrative Law*, pp. 812–67. In addition, further developments on the subject are discussed in my most recent article, "Unreviewable Admistrative Action," published earlier this year in the June and July issues of *Federal Rules Decisions*.

How curious that Professor Lepawsky, in accusing me of taking the one sentence out of context, does not say a word about the context, but instead quotes from the following page a single sentence that is completely irrelevant to the sentence under discussion.

The second sentence Professor Lepawsky says I have taken out of context is the first sentence of a new section entitled "Distinction between Law and Fact." The first four sentences of that section, including the one in question, are as follows:

"As a general rule, courts attempt to distinguish between questions of law and fact by reviewing the former and not the latter. The notable exceptions to this rule are the rate-fixing cases wherein the Supreme Court has stated that where confiscation is alleged, the appellate courts will grant a trial de novo. In findings of fact, however, the rule prevails that there must be evidence sufficient to support the decision. It is this latter rule which vitiates the entire hypothesis."

What do these four sentences mean? Do they mean that the courts do review questions of fact? Or do they mean that the courts do not review questions of fact? Does the third sentence contradict the first? Frankly, I am unsure how to answer these questions. What I am sure of is that each of the four sentences involves a misstatement. Even if the third sentence contradicts the first, both are still wrong. A statement that the old gray mare was black is not corrected by a later statement that she was white.

A rewriting of the four sentences to make them accurate would be something like the following, which I submit as fully accurate:

"As a general rule, whenever administrative action is reviewable, courts review both questions of law and questions of fact, but they substitute judgment on the former and not on the latter. The Supreme Court has never required de novo trials in rate-fixing cases; even in the extreme Ben Avon and St. Joseph cases, in which independent judicial judgment on both law and facts was required, the court permitted the review to be on the administrative record. Under the dominant doctrine governing scope of review, the courts do not determine whether the evidence is sufficient, for that would involve substitution of judicial judgment, but the courts limit themselves to a determination of whether the finding is supported by substantial evidence. The distinction between law and fact thus remains at the heart of the principal formula for judicial review of administrative action."

Although I think this revision is accurate, I would not recommend it for a political science text, for even the most brilliant student could not possibly understand the meaning without the aid of concrete applications of the generalizations.

The third sentence Professor Lepawsky says I have taken out of context is the statement that "the courts normally will refuse to interfere with immigration orders for deportation." He says: "But the main trouble with Professor Davis' objection to Book 1's discussion of this point is the fact that his quotation of Book 1 is fallacious. For, instead of having said 'the courts normally will refuse to interfere with immigration orders for deportation,' Book 1 actually says: 'While the courts normally will refuse to interfere with immigration orders for deportation, they will set aside orders etc.'" The ironical fact is that Professor Lepawsky goes wrong precisely because he fails to take account of either the immediate context or the larger context! Why does he cut off his quotation in the middle of the thought? The fact is that the rest of the sentence renders the entire sentence erroneous. The sentence is the third and last sentence of a paragraph immediately under the heading, "Conclusiveness of Administrative Determinations." The entire paragraph is as follows:

"The adequacy of the administrative hearing sometimes determines whether the courts will review. This is, of course, tied up with the question of whether the hearing satisfies due process. While the courts normally will refuse to interfere with immigration orders for deportation, they will set aside orders based on any arbitrary trial."

In this immediate context, the meaning of the third sentence is that courts "normally" set aside deportation orders only for "arbitrary trial" or denial of procedural due process. The fact is that the most frequent reasons for setting aside deportation orders are error of law and lack of evidence. The Supreme Court has summarized scope of review of deportation orders in *Kessler* v. *Strecker*, 307 U.S. 22, 34 (1939): "If the hearing was fair, if there was evidence to support the finding of the Secretary, and if no error of law was committed, the ruling of the Department must stand and cannot be corrected in judicial proceedings. If, on the other hand, one of the elements mentioned is lacking the proceeding is void and must be set aside."

The larger context is the textwriter's erroneous idea that "courts are reluctant to review" what he calls "a legal right which is a privilege." He erroneously says, for instance: "It is not easy to get the courts to reverse Post Office Department fraud orders, because the attitude is taken that the government is performing a business service to individuals on favorable terms." Then he erroneously says: "In cases involving the police power, or where individual freedom is restricted in the interest of society as a whole, the situation is different."

The courts interfere as much with deportation and fraud orders as they do with regulatory orders. The courts interfere less frequently with SEC, CAB, and FTC orders than they do with deportation orders. For instance, twenty CAB orders were reviewed in 1951 and only one reversed; twenty-three were reviewed in 1952 and only one reversed. But because the variables are plural, judicial reluctance or lack of it cannot be proved or disproved with statistics about proportion of reversals; if the agency is careless, reversals increase; if lawyers challenge too many orders, the proportion of reversals decreases. In one sense, courts "normally refuse to interfere" with any administrative orders, for less than two per cent of federal administrative adjudications are judicially reviewed, but the context shows that the textwriter was not using his words in this sense.

Professor Lepawsky falls into rather elementary error when he says that "the courts are thus 'normally' so hesitant to interfere with deportation orders that the present Administration is seriously considering action to permit easier review in such cases, and, in fact, the Attorney General has recently submitted a bill to both houses of Congress which would implement this change." The proposal is not to change scope of review but only the method. The proposal is to continue habeas corpus as a method of review and to add to it a review under section 10 of the Administrative Procedure Act. Attorney General Brownell has explained that his purpose is not to change the scope of review: "Regarding the scope of review, it is doubtful whether the scope is now any different in habeas corpus from that which is accorded to the orders of other agencies under section 10 of the Administrative Procedure Act."

KENNETH CULP DAVIS
University of Minnesota

TO THE EDITOR:

1. To begin with, I have counted myself, for several years, as an admirer of Professor Davis, largely on the basis of the many excellent articles on administrative law that he has contributed to the law journals. Since the publication of his casebook and his text on the subject, I have used both in my own courses in administrative law, and I am still using his text as collateral reading. I have felt, and I still believe, that Professor Davis understands a great deal about the processes of government and about bureaucratic behavior—in both the judicial and executive branches. Granting, as I do, that Professor Davis "knows" a lot of "political science," it is the more regrettable that he is unwilling to indulge a more charitable assumption concerning the possibility that political scientists (i.e., non-lawyers) might conceivably understand some of the mysteries of administrative law. Herein, it seems to me, lies one of the basic criticisms invited by the tone and manner of expression of the Davis article: that Davis has foreclosed the possibility of finding anything other than misinformation about administrative law in the public administration textbooks, by donning the blinders of professional mysticism. To be specific, Davis suggests that the author of "Book 1" (third edition) is hopelessly confused as to the permissible scope of judicial review under Section 10 (e) of the Administrative Procedure Act, because the phrase "throughout the whole [or entire] record" is used synonymously with the statutory language: "unsupported by substantial evidence . . . [in]

the whole record." Since this edition discusses the two leading Supreme Court decisions and cites the leading law journal article (Jaffe's "Judicial Review: Substantial Evidence on the Whole Record") on p. 514, the author obviously had exposed himself to the proper authorities; Davis' argument must be that the author was incapable of understanding this complex point. One would assume that an awareness of legal history would push one towards charity rather than towards dogmatism in matters such as these; after all, none other than the esteemed Learned Hand was confused on this very point when the Court of Appeals for the Second Circuit decided the *Universal Camera* case; and when that same case reached the Supreme Court, what did Justice Frankfurter do other than to resurrect the "reasonable man" of Holmes' dissent in *Lochner* v. *New York*, and make this the yardstick of judicial discretion, or "the judgmatical process of review." The subject cannot be crystal clear, even to Professor Davis, for he has written elsewhere in this regard: "Obviously the test of reasonableness under the substantial evidence rule is unprecise and susceptible of different application by different courts or even by the same court in different cases." Davis, *Administrative Law*, p. 915.

2. However sympathetic one may be toward the objectives Professor Davis had in mind in writing his article, it is difficult to condone his methods. Any quotation necessarily is made out of context, but it is unworthy of a scholar to quote systematically "out of context." It takes no particular acumen in the law, even in administrative law, to indulge in semantic exorcise; one might, for instance, turn to Davis' article (p. 740) where he is taking Book 1 to task, and, by the process of skipping a few intervening sentences, quote him as follows: "Statutes usually forbid judicial substitution of judgment on questions of fact. . . . Under the dominant doctrine the courts review findings of fact to the extent of determining whether they are supported by substantial evidence, and this means that many orders are set aside that would stand if the courts did not review the facts." In other words, Professor Davis, the courts are forbidden to review questions of fact, but they do so anyhow? This brings us back to the error of Book 1, which states (still quoting from Professor Davis, at p. 740): "Legislatures cannot insulate administration against judicial review by introducing into the statute clauses designed to thwart review."

If Professor Davis were to rejoin at this point that this sort of word-game playing is unfair, unprofitable, and before long, unintelligible, I should of course be forced to agree. It certainly is. It is equally unfair to impeach statements in a book published in 1946 on the basis of a statute enacted later that year and a Supreme Court decision which came some five years later. It is not the author of Book 1's lack of prophetic gifts that is at issue. Similarly, it might be pointed out that it is curious that Professor Davis selects the earlier edition of this text to attack, when it is apparent that he had available to him the then recently published third edition, which he cites only in a footnote. Notwithstanding his assertion that "the new errors in the new edition are even more astonishing than those in the second edition," one wonders whether it was an ingrained sense of circumspection and charity or the failure to find such errors that impelled Professor Davis to select the earlier edition as his *pièce de résistance?*

3. Much of Professor Davis' commentary exhibits the quibbling over details, with consequent distortion or complete avoidance of the main point, that is the very epitomy of the "legalism" for which both teachers and practitioners of public administration frequently express aversion. His argument takes on the coloration of the counsel's brief, the one-sided marshalling of evidence pointing in the direction of *quod erat demonstratum*, and the corresponding sublimation of contrary evidence until its consideration may be forced by reason of its having been included in the brief of opposition counsel. I hope that the day is not at hand when truth will be determined in the pages of this REVIEW by grace of the litigious process.

Let me give a specific example of such quibbling combined with quotation out of context. Davis says of another text: "At page 617 Book 3 says that 'rules have the effect of law.' The law is that interpretative rules often lack the force of law." What the author actually said was: "Since rules have the effect of law, they establish the rights of parties under many circumstances, and such parties are entitled to immunity for action taken in reliance upon them." Without debating the normative admonition in the terminal clause, the fact is that interpretative rules *do* establish the rights of parties under many circumstances. E.g., *Gibson Wine Co.* v. *Snyder*, 194 F. (2d) 329 (1952). It is hard to understand Davis' commentary here other than as deliberate quotation out of context for the purpose of quibbling over words.

4. In his footnote 51, p. 743, Professor Davis takes the author of Book 4 to task for having committed the "especially important" error of distinguishing between "rules" and "regulations," "thereby departing from courts' usage, confusing students who may misunderstand the vocabulary of lawyers and courts, and departing from section 2(c) of the Administrative Procedure Act." I, for one, am not ready to concede that political scientists fall into "error" when they choose to conceptualize governmental processes other than in the terminology of the legal profession. If this were to be the case, stultification of intellectual activity in the field of public law would be rapid indeed.

5. Professor Leonard White is taken severely to task for having undertaken to overgeneralize about the application of the "rule of law" in the United States. The point of Davis' criticism seems to be that the section on administrative law in the introductory course in public administration should be taught by the case method. A little more reflection might have revealed to Professor Davis that such a sudden switch to the case method of instruction for a week or two in a course otherwise taught by other techniques is not very feasible: (1) suitable materials are not available, unless the class is to be asked to purchase a law school casebook in administrative law in addition to the public administration textbook; (2) most of the two weeks would have to be devoted to teaching the case method to students who would be unfamiliar with it; (3) political scientists are using the case method in the courses in administrative law that are now being taught in approximately 100 political science departments throughout the country; (4) in two weeks, one might hope to cover by the case method, thus interjected in the introductory public administration course, and working with undergraduates rather than law school students, the subjects of official and governmental liability. Period. Is the rest of administrative law to be ignored in what is admittedly a *survey* course, an introduction to a field of study?

Turning to the merits of the White generalization, it is true that both governmental and officer liability are necessarily bound up in any discussion of Dicey's "rule of law," but surely all wisdom on this subject is not to be found in a fifty year old case, even after Professor Davis has "somewhat altered"* the facts; and he may be surprised to discover that *Lowe* v. *Conroy* is well known to many, if not to most, political scientists. Obviously, it is known to White, since he discusses the case on p. 578 of his text.

Professor White may even have been somewhat misled, in his assumptions about the "universal accept[ance]" of the rule of law as an aspect of judicial review of administration, by contemporary statements of leading jurists and law school professors of administrative law. Surely Arthur T. Vanderbilt, formerly Dean of the New York University Law School and member of the Attorney General's [the Acheson] Committee on Administrative Procedure, qualifies as such an authority on administrative law; and one would assume that this would be particularly true when Chief Justice Vanderbilt speaks from the bench. Only a few months after Professor White's third edition went to press, we find Chief Justice Vanderbilt saying: "Neither is the grant to administrative agencies of the power to adjudicate controversies within the various fields of administrative activity a violation of Article III [of the New Jersey State Constitution of 1947], for every administrative adjudication is subject to the doctrine of the supremacy of law, or, as it has often been called, the Rule of Law. If an administrative adjudication is repugnant to the state or the federal Constitution or the law of the land as, e.g., a treaty, or is ultra vires a statute, it is subject to attack by judicial review." *Mulhearn* v. *Federal Shipbuilding and Dry Dock Co.*, 2 N. J. 356, 364 (1949). Are law school students taught to ignore such "abstract and erroneous generalizations [about] Dicey's rule of law?" (p. 732).

6. It is perhaps unfortunate that Professor Davis did not pay more heed to the Popian couplet. Further investigation might have revealed to him that at least faltering steps have been taken by political scientists in an attempt to provide some evidence bearing on the questions that Davis asks in his section VI, "Some Suggestions for Research." To take only the second of his questions, for example: "To what extent do the regulated groups control the regulators?" It has been well over a decade since the publication of Herring's *Public Ad-*

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* Kenneth C. Davis, "Some Reflections of a Law Professor about Instruction and Research in Public Administration," this REVIEW, Vol. 47, p. 731, ftn. 5 (Sept., 1953).

ministration and the Public Interest, Fesler's *The Independence of State Regulatory Agencies,* and Leiserson's *Administrative Regulation,* all of which would seem to be relevant to the question. Since Davis cites none of these studies in the "Table of Authorities" appended to his text, one may be pardoned for assuming that he may be ignorant of their existence.

7. Many political scientists readily will agree with Davis about the virtues of the case method of instruction, the inadequacies of existing treatment of the subject of administrative law in public administration textbooks, the desirability of more research in many areas of administrative law (unfortunately, it has little sex appeal and does not "pitch" well for foundation support), and the obligation of political scientists to develop both a conceptual framework for and materials dealing with "internal" administrative law. It is the more regrettable that he felt impelled to overstate his case; a fair-minded discussion on his part of "Misinformation about Administrative Law" in the public administration textbooks would undoubtedly have been much more influential upon his audience, who were not really on trial except in Professor Davis' own mind.

GLENDON A. SCHUBERT, JR.
Michigan State College

TO THE EDITOR:

I shall aim a few sentences at the heart of each of the first five of Professor Schubert's seven numbered points.

1. He tries to defend the palpably absurd statement that " 'substantial evidence' must be found throughout the entire record to support administrative action." I repeat the question I previously asked in a footnote: If in a 1000-page record, 990 pages are devoted to unconvincing circumstantial evidence on one side, and ten pages to convincing direct evidence on the other side, should a court hold that the agency may not believe the direct evidence?

2. His entire discussion of this point proclaims that he is unaware of the distinction between judicial review involving substitution of judicial judgment and judicial review not involving substitution of judicial judgment, a distinction which is cardinal in most of the law of scope of review.

His statement that it is unfair to impeach a 1946 book on the basis of a statute passed later in 1946 and a 1951 decision would be well taken if either the statute or the case changed the law under discussion. To show that statutes sometimes preclude review, I quoted the clause of the 1946 Administrative Procedure Act that says, "Except so far as statutes preclude review . . . ." The 1951 case was used for a proposition that has been the law since 1912.

He sees something sinister in my discussion of a second edition and my footnote recognition of the third edition. The simple explanation, of course, is that the third edition appeared after my article was in proof.

3. He justifies an unqualified statement that "rules have the effect of law" by arguing that "interpretative rules do establish the rights of parties under many circumstances." Yes, they do. But the point is that in many other circumstances, interpretative rules do not have the effect of law, and the unqualified statement is therefore excessive.

4. He says that if political scientists must use the terms "rules" and "regulations" in the same way these terms are used by Congress, state legislatures, courts, agencies, administrators, lawyers, and law professors, "stultification of intellectual activity in the field of public law would be rapid indeed." I cannot agree. Political scientists can influence the course of government only if they use a vocabulary that is understood by the people who make up the government. Any impairment of the means of communication is unfortunate.

5. In an effort to justify a mistaken statement that officers are liable in tort, he relies upon some vague supremacy-of-law language of Chief Justice Vanderbilt that says nothing about tort liability. The Vanderbilt position on officers' tort liability is the opposite of what Professor Schubert assumes it to be, as he could have found by examining the orthodox case of *Hester* v. *Miller*, 8 N.J. 81, 83 A.2d 773 (1951), holding the State Highway Commissioner immune from liability.

Professor Schubert's reliance upon vague and general language, instead of using a concrete holding involving a particular application, is precisely the type of thinking that seems to me so harmful in the public administration texts.

KENNETH CULP DAVIS

TO THE EDITOR:

You ask in the March issue for comment on Kenneth C. Davis's remarks in the September issue concerning "Misinformation about Administrative Law."

I have not myself examined the texts discussed in Professor Davis's article. But I have thought about his criticisms of the portions he selected for discussion. In my estimation he has accurately characterized these portions as being loaded with misinformation. Agreement with Professor Davis's analysis does not come as a surprise. He is in the highest rank of administrative lawyers in this country. His writings have brought him much merited recognition, including the Henderson Memorial Prize awarded not oftener than quinquennially by vote of the faculty of the Harvard Law School as a "recognition of outstanding excellence in the production of a critical and constructive work on Administrative Law and other problems affecting government." There is a very strong presumption indeed that Davis knows whereof he speaks when he speaks about administrative law.

The important point, however, is not whether Davis has correctly identified a number of errors in texts prepared for students of public administration. The real question is whether the texts should deal at all—correctly or incorrectly—with "legal complexities." Davis argues effectively that they should not—not because lawyers are entitled to maintain monopolistic control over "legal complexities," but because there are so many more important matters to which political scientists and their students should devote attention. Who really cares whether in formal proceedings a litigant must petition for an administrative rehearing before he can say that there is a "final order" ripe for judicial review? Who really cares whether certiorari is a procedural device used by federal courts when they want to review administrative decisions? Who really cares about the precise meaning of "res judicata" in administrative law? Well, obviously enough, somebody does and should care. But I suggest that he is not likely to be found among the governmental generalists or the administrative specialists who are being trained by teachers of public administration.

WALTER GELLHORN
Columbia University

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A. Lawrence Lowell
Woodrow Wilson
Simeon E. Baldwin
Albert Bushnell Hart
W. W. Willoughby
John Bassett Moore
Ernst Freund
Jesse Macy
Munroe Smith
Henry Jones Ford
Paul S. Reinsch
Leo S. Rowe

William A. Dunning
Harry A. Garfield
James W. Garner
Charles E. Merriam
Charles A. Beard
William B. Munro
Jesse S. Reeves
John A. Fairlie
Benjamin F. Shambaugh
Edward S. Corwin
William F. Willoughby
Isidor Loeb
Walter J. Shepard
Francis W. Coker
Arthur N. Holcombe
Thomas Reed Powell
Clarence A. Dykstra

Charles Grove Haines
Robert C. Brooks
Frederic A. Ogg
William Anderson
Robert E. Cushman
Leonard D. White
John M. Gaus
Walter F. Dodd
Arthur W. Macmahon
Henry R. Spencer
Quincy Wright
James K. Pollock
Peter H. Odegard
Luther H. Gulick
Pendleton Herring
Ralph J. Bunche